52.0746
M 31or
23-1915

Conn. -- Laws, statutes, etc.

ACTS

OF THE

GENERAL ASSEMBLY

OF CONNECTICUT

RELATING TO THE TOWN

OF MANCHESTER

1823-1915 inclusive

Connecticut -- Laws, statutes, etc
"
357.0746
M31ou
1823-1915
25 Jy'21-CL.

ACTS OF THE GENERAL ASSEMBLY OF CONNECTICUT RELATING TO THE TOWN OF MANCHESTER.

1823-1915, inclusive.

Resolve Incorporating the Town of Manchester—Passed May, 1823.

RESOLVED BY THIS ASSEMBLY, That the parish of Orford, in the town of East Hartford, with all the inhabitants residing within the limits of the parish of Orford, be, and the same is hereby, incorporated into a distinct and separate town by the name of "Manchester," and the inhabitants aforesaid, and their successors forever, residing within said limits, shall have and enjoy all the powers, privileges, and immunities enjoyed by other towns in this state, with the right of sending one representative to the general assembly of this state.

And said new town shall pay its just proportion of all debts now due from or existing against said town of East Hartford counting upon the list of 1822, and shall be entitled to their just proportion of any town property; and in future said new town shall support all the poor of said town whose ordinary residence has been in said parish of Orford, whether said persons now reside in the town of East Hartford or not, provided, at the time they left said town they resided within said parish of Orford, and in case the two towns do not agree as to dividing the property of said town, or the division of the poor, or as to the amount of debts, the county court for the county of Hartford are hereby authorized and empowered to make such division or appointment, giving reasonable notice to the parties concerned.

The collectors of the town of East Hartford are hereby authorized to collect all taxes already laid, in the same manner as if this bill had not been passed.

The first town meeting in said new town shall be holden at the meeting house in the parish of Orford on the sixteenth day of June next, at 9 o'clock in the forenoon, and George

5 Nov. '20 Ai 9.
Mrace

Cheney, Esq., shall be moderator thereof, who shall warn said meeting by posting a warning on the public sign-post in said new town and such other place or places as he may think proper, at least six days before said first meeting. And all subsequent meetings shall be holden at or near said meeting-house in Orford; and the officers of said town chosen at said first meeting shall hold their offices until others are legally chosen and sworn in their stead.

Resolution Validating the Assessment List in Manchester.

Upon the petition of Edward Griswold and Normand Buckland of Manchester, in Hartford County, showing to this assembly that they are selectmen of the town of Manchester aforesaid; that at the annual town meeting holden in said town on the first Monday in October, 1841, George W. Cheney, Esq., was duly chosen assessor of said town for the year next following; that said Cheney accepted said office and took the oath by law provided for assessors; that before said Cheney had completed the assessment list and abstract required by law to be made out and lodged with the town clerk by the first day of December, he was taken sick, and died on or about the 30th of November; that as soon as they discovered that the assessment list and abstract required by law were not made out and lodged with the town clerk according to the requirements of the statutes, they warned a special town meeting, which was holden on the 15th day of December, 1841, when William Jones, Esq., was duly chosen assessor, who accepted said office and took the oath by law provided for assessors, but did not give notice to persons by law liable to pay taxes to bring in written or printed lists, and did not three-fold any for not bringing in such lists, but ascertained the taxable property and polls of the inhabitants of said town, and set said property in the lists at its simple value; that he made out a correct list of the polls and ratable estate of the inhabitants of said town, whose list was with the abstract required by law, as soon as practicable lodged in the office of the town clerk of said town; that the Board of Relief of said town, having first given ten days' notice of the time and place of meeting, met on the first Monday of January, 1841, heard and determined all appeals to them made from the doings of said assessor and equalized and adjusted the valuations and assessment list of said town; that the inhabitants of said town have voted certain taxes to be made out on the assess-

ment list so made, and that they cannot with safety to themselves make out the rate bills on said assessment as they are by law required to do; that the state tax for said town cannot be legally collected while they are liable to have execution issued against them and have their property sold for the payment of said tax; and that said town has no means of defraying the expenses of said town or of repairing the highways therein, without the taxes so voted as aforesaid and praying that said assessment list so made out by said Jones be declared good, and valid in law, and all legal taxes levied thereon legal and collectable in the same manner as though said assessment list and abstract had been made out by said Cheney in all respects according to law, and lodged with the town clerk of said town, or in his office, by the first day of December, 1840, as per petition on file dated May 20, A. D. 1841.

RESOLVED BY THIS ASSEMBLY, That the assessment list of said town so made out by said Jones, be, and the same hereby is declared good and valid in law, and all taxes which have been or hereafter may be laid or imposed thereon, shall be deemed good and collectable, notwithstanding any or all causes and defects named and set forth in said petition. (Private Acts and Resolutions 1837-1846-1841, Page 52.)

Changing the Name of the Ecclesiastical Society of Orford.

RESOLVED, That the Ecclesiastical Society of Orford in the Town of Manchester, County of Hartford, shall hereafter be known and called by the name of the Congregational Society of Manchester. (Private Acts 1843: Page 21.)

Enabling the Town of Manchester to Assume Indebtedness Incurred in Furnishing Its Quota Under the Call of the United States Government for Troops.

Whereas certain residents of the Town of Manchester have advanced money to enable the said town to fill its Quota under call of the United States Government for troops, therefore RESOLVED by this Assembly that if said town at a legally called meeting shall vote to assume said indebtedness, such debts shall become legal and binding upon said town.

Approved July 9th, 1864.

Remitting to the Town of Manchester a Portion of the Last State Tax.

RESOLVED BY THIS ASSEMBLY, That the sum of $73 and 51/100 dollars be remitted and allowed to the Town of Manchester from the last state tax levied upon said town.

Approved July 20th, 1867.

Act Relating to the Election of Justices of the Peace.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1: That Jasper R. Fitch, James Campbell, Francis W. Cowles, Aaron Cook, Chas. S. Cheney, Albert Taylor, Chas. Giles, M. Hills, Olin R. Wood, Chas. H. Owen, Rufus R. Dimock, Mason Agard, Nathaniel Keeney and James T. Bunce, be and are hereby declared to be duly elected Justices of the Peace for the Town of Manchester at an election held in said town on the first Monday in April, A. D. 1876, for the ensuing term for which they were declared to be elected.

Section 2:

Section 3:

Section 4: This act shall take effect from and after its passage.

Approved June 28th, 1876.

Annexing a Portion of East Windsor to the Town of Manchester—Passed 1842.

RESOLVED, That all that part of the Town of East Windsor which lies south and west of a line, beginning at the southeast corner of East Windsor, on the line of Manchester and Vernon, and running north on the Vernon town line three-fourths of a mile, thence running westwardly by a straight line to the northwest corner of the Town of Manchester, with all the inhabitants residing therein, be and hereby is annexed to the town of Manchester, and shall hereafter constitute a part of the Town of Manchester. PROVIDED, HOWEVER, That this resolve shall not be construed to vary the limits of any school society now existing; and provided, also, that the poor of said Town of East Windsor, who were born within the territory hereby annexed to said Town of Manchester, and who have not gained a settlement elsewhere in this state than in said

Town of East Windsor, or who have gained a settlement in said Town of East Windsor by residence or otherwise, within said territory, shall be deemed inhabitants of said Town of Manchester, whether said poor are now maintained by the Town of East Windsor or not; and such poor of East Windsor as are now absent therefrom, shall belong to said Town of Manchester; provided such persons, at the time of their departure, belonged to that part of East Windsor hereby annexed to Manchester.

Chapter VII of Probate Districts.

Sec. 88: The districts of the several courts of probate shall be as follows, to wit:—

The Towns of Hartford, Windsor, Wethersfield, East Hartford, Glastonbury, Manchester, Bloomfield and Rocky Hill shall be one district, by the name of Hartford.

(In addition, 1850.)

That the Town of Manchester be, and the same hereby is, constituted a probate district, by the name of the District of Manchester; provided, that all matters and business begun or entered in the District of Hartford, shall be completed therein, in the same manner as if this act had not been passed. (Statutes of Connecticut Compilation of 1854,—Page 287.

Annexing Harlow Fowler and Harlow M. Fowler to the Northwest School District of Manchester.

RESOLVED BY THIS ASSEMBLY, That Harlow Fowler and Harlow M. Fowler of Manchester, with their dwelling houses and all lands belonging to them or either of them, and lying in said Manchester, are hereby annexed and declared to belong, for all school purposes, to the Northwest School District of said Manchester, and that the said Harlow Fowler and Harlow M. Fowler, and those who may succeed them in the occupation of said houses and lands shall, as members of said Northwest School District, be entitled to all the privileges and subject to the liabilities of the inhabitants of the same.

Approved May 28, 1858.

Annexing a Part of the Southeast School District of East Hartford to the West School District of Manchester, and Establishing the Boundary Line Between Said Districts.

Upon the petition of the Town of Manchester, praying for a restoration of territory, and establishment of boundaries of a school district:

RESOLVED BY THIS ASSEMBLY, That the following be and hereby is established as the dividing line between the school districts of said Town of Manchester, and the school districts of the Town of East Hartford, viz: beginning at the southeast corner of the Southeast School District of East Hartford, at the boundary between said Manchester and the Town of Glastonbury; thence running northerly along the eastern boundary of said school district, as established by the general assembly of 1857, to a ditch on the south side of the Sally Holmes' lot, so called; thence westerly along said ditch, to the boundary between said Manchester and said East Hartford; thence north along said boundary to the Town of South Windsor; and that so much of said Southeast School District as lies north of that part of the dividing line hereby made and established, which runs westerly along said ditch, south of said Sally Holmes' lot, be and the same is hereby annexed to and made a part of the West School District of said Manchester.

This act shall take effect from the day of its passage.

PROVIDED, That that portion of said school district, so set off to the Town of Manchester, shall remain liable to pay their proportion of the present indebtedness of said district, and may be taxed therefore in the same manner as though this resolution had not passed.

Approved June 9, 1858.

(Senate Joint Resolution No. 46)

(232)

Creating a School District in the Towns of Manchester and East Hartford.

RESOLVED BY THIS ASSEMBLY: That all that portion of the Towns of Manchester and East Hartford, and the inhabitants thereof, bounded and described as follows, viz.: Starting from a spring and public watering through on the middle turnpike between Hartford and Providence, and about one-half mile west of the Hartford Manilla Company's mill, thence running southerly about four rods to the Hockanum river; thence following said river and the Hartford Manilla Companys pond easterly and northerly to the south boundary line of the seventh school district in said Manchester; thence running westerly on said school district line to the town line between said towns of Manchester and East Hartford; thence northerly along said town line to the

South Windsor town line; thence following the line of the joint school district known as Long Hill school district, lying partly in the town of South Windsor and partly in the town of East Hartford, northerly, westerly, and southerly to the point in the Town of East Hartford where said joint district line intersects the Tolland turnpike, so-called, near the house of Thomas McLelland; thence easterly along said turnpike to the point of intersection of said turnpike with the Long Hill road, so-called; thence southerly to the place of beginning.

Approved, April 14, 1886.

(Substitute for House Joint Resolution No. 133)
(109)

Validating Action of the Town of Manchester in Exempting the Mather Electric Company from Local Taxation.

RESOLVED BY THIS ASSEMBLY, That the action of the Town of Manchester in abating all town, highway and school district taxes of The Mather Electric Company, for five years from November first, 1886, and exempting said company from town, highway and school district taxation on condition that it locate its manufactory and carry on its business in said town, is hereby validated and confirmed, and said company is hereby exempted from all town, highway and school district taxation in said town for five years from November first, 1886.

Approved March 22, 1887.

(House Joint Resolution No. 418)
(307)

Concerning the Ninth School District of Manchester.

RESOLVED BY THIS ASSEMBLY: Section 1. That the territory and inhabitants within the limits of the ninth school district of Manchester are hereby made a body politic and corporate by the name of the Ninth School District of Manchester, and shall have all the powers and privileges of school districts under the laws of this state.

Sec. 2. The first meeting of said district shall be held in June, 1895, and shall be called by the present district committee. At said meeting shall be elected by ballot a committee consisting of five persons whose terms of office shall begin July fifteenth, 1895. One of this number shall be elected to hold office until the next annual meeting, two

until the second annual meeting, and the remaining two until the third annual meeting thereafter. At each annual meeting of the said district, which shall be held in June, so many members of said committee shall be elected by ballot to hold office for three years as, together with those previously elected to hold office beyond said annual meeting, will make the whole number five; and all members of said committee shall be residents of said district. In case of vacancy caused by resignation, death, or removal from the district, the remaining members of the committee shall fill the vacancy until the next annual meeting of said district, when a member shall be elected for the unexpired term.

Sec. 3. Said committee shall examine, employ, and dismiss teachers, shall determine the number and qualifications of the scholars to be admitted into each school, provided that all children of school age within said district shall be admitted to some one of the schools maintained by said district, may prescribe the course of study to be followed in the schools, and shall exercise all the powers and perform all the duties of district committees and school visitors. The authority of the school visitors of the town in which said district is situated shall extend only to the remaining portion of said town.

Sec. 4. In the Town of Manchester, in each year, before the third Tuesday of June, the school visitors shall elect three of their own number, and the committee chosen under the provisions of this resolution shall also elect three of their own number, and these six persons together with the selectmen of said town shall be the joint board of the Town of Manchester in lieu of that provided for in section 2234 of the general statutes, and shall have the rights and perform the duties of said joint board prescribed in sections 2234, 2236, and 2237 of the general statutes.

Approved, June 11, 1895.

(House Joint Resolution No. 142)

(59)

Authorizing the Town of Manchester to Reimburse James M. Burke.

RESOLVED BY THIS ASSEMBLY, That the Town of Manchester be and it is hereby authorized and empowered to appropriate a sum not exceeding three hundred and twenty-five dollars, to be paid to James M. Burke of said Manchester, as a reimbursement for money paid by him in

November, 1895, to the county commissioners, of Hartford County. and by them paid over to the said Town of Manchester for a liquor license, subsequently revoked by the said commissioners on the ground that they had no power to issue it.

Approved, March 10, 1897.

(Substitute for House Joint Resolution No. 293)
(177)

Amending the Charter of the Ninth School District of Manchester.

RESOLVED BY THIS ASSEMBLY, That section two of the charter of the Ninth School District of Manchester, approved June 11, 1895, is hereby amended by adding thereto the following: The chairman of the district committee shall give due notice of all meetings of said district, and may call a special meeting thereof at any time, and shall call one on the written request of twenty legal voters of the district.

Approved, March 31, 1897.

(Substitute for House Bill No. 1125)
(405)

An Act Extending the Limits of the Ninth School District of Manchester.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section one of a resolution incorporating the ninth school district of Manchester, approved June 11, 1895, is hereby amended by adding thereto the following: The limits of said ninth school district of Manchester are hereby enlarged by taking from the sixth school district and adding to said ninth school district the following described piece of land: Commencing at a point in Olcott street east of land of Emil L. G. Hohenthal, said point being seven hundred and fifty and three-fourths feet easterly of the east line of the Charles Case property, thence running westerly along said Olcott street about two hundred and seventy-two feet to a point where the prolongation southerly of the westerly line of said Hohenthal's property intersects said Olcott street, thence northerly along said westerly line of said Hohenthal's land about six hundred and fifty feet to the northwest corner thereof, thence easterly along the northerly line of

said Hohenthal about four hundred and five feet to a point where the present line of said ninth school district intersects said northerly line of said Hohenthal, thence southerly along said present district line to the point of beginning.

Sec. 2. This act shall become effective upon the failure of the voters of said district to approve section one of an act of the general assembly of 1913, entitled an act amending the charter of the ninth school district of Manchester.

Approved, June 4, 1913.

(Substitute for Senate Bill No. 114)
(380)

An Act Amending the Charter of the Ninth School District of Manchester.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section one of a resolution incorporating the ninth school district of Manchester, approved June 11, 1895, is hereby amended to read as follows: The territory and inhabitants within the limits of the ninth school district of Manchester bounded by a line commencing at a point in the center line of middle turnpike opposite the dividing line between the lands of R. O. Cheney and E. C. Hillard, thence running southerly to a point where said line interesects the north line of the land of E. L. G. Hohenthal, thence west on said north line about four hundred and five feet to the northwest corner of said land, thence south on the west line of said Hohenthal's land about six hundred and fifty feet to the intersection with the center line of Olcott street, thence westerly on the center line of Olcott street to the east line of the land of the Charles Case property at a point five hundred and twenty-six feet easterly of the center line of McKee street, thence south on the east line of said Case property to the center line of Center street, thence west on the center line of Center street to the center line of McKee street, thence south on the center line of McKee street to Hartford road, thence south on the line of the old highway now discontinued to the dividing line between land formerly of Edna McKee and land of Cheney Brothers, thence easterly in a straight line to the south end of the bridge south of the house of the late George Gould on South Main street, thence south along the center of the highway to the dividing line between land formerly of Richard Joslyn and land for-

merly of Abel Lewis, thence easterly in a straight line to a point where the west line of the third district crosses Wyllis brook on Gardner street, thence north on Gardner street in a straight line to Highland street, thence east about fifty-two feet to the center line of Autumn street, thence north on the center line of Autumn street to the dividing line between land of C. W. Cowles and land of H. G. and R. Cheney, thence west on said line to the west line of the old cemetery, thence north on said line to the center of East Center street, thence easterly on the center line of East Center street to the east line of the property of Martha Durkins and Mary Digny, thence north on said line to Middle turnpike, thence westerly along Middle turnpike to the point of beginning; are hereby made a body politic and corporate by the name of the ninth school district of Manchester, and shall have all the powers and privileges of school districts under the laws of this state.

Sec. 2. Said district may establish public day and evening schools for instruction in the principles and practice of such trades and useful occupations as may be designated by the committee of said district. Said committee shall have the power to purchase such materials as may be necessary for the proper conduct of said schools and may dispose of the products of said schools and of the income from such products either for prizes to the pupils for proficiency in work or for maintenance of said schools.

Sec. 3. Said district may equip and maintain gymnasiums, baths, and recreation grounds, with all necessary buildings and paraphernalia, for the use of the inhabitants of the Town of Manchester as the recreation committee may designate, and is authorized to raise money by taxation for the purpose of carrying out the provisions of this act. Said district shall have all the rights and powers for the acquirement of land for any of the provisions of this act which it has for the acquirement of land for school purposes.

Sec. 4. Said recreation grounds, gymnasiums, and baths shall be under the supervision of a committee of five residents of said district who shall be known as the recreation committee of the ninth school district. Two of said committee shall be appointed annually by the district committee from its members. At the annual meeting of said district in 1913 said district shall elect one member of said committee to hold office for one year from July 15, 1913, one member to hold office for two years from said date, and one member

to hold office for three years from said date. At each annual meeting thereafter said district shall elect one member of said committee who shall hold office for three years from July fifteenth succeeding his election. In case of a vacancy among the elected members of said recreation committee the remaining members of said committee shall elect some person to fill the vacancy until the next annual meeting. In case of a vacancy among the members appointed by the school committee said school committee shall appoint some person for the balance of the unexpired term. The recreation committee shall have charge of the baths, recreation grounds, and gymnasiums maintained by the district, and shall make rules and regulations for their management, use, and rental, and may employ such attendants and assistants as may be necessary to properly supervise and maintain them.

Sec. 5. Whenever said district shall vote to purchase land for any of the purposes of said district, or to purchase, erect, or equip any building for any of said purposes, or to enlarge any such building, and the estimated expense thereof is more than ten thousand dollars, and an appropriation is made for the purpose of meeting such expense, said district may, at a meeting duly warned for that purpose, vote to issue bonds of said district to defray such expenses, provided said district shall not issue bonds exceeding in the aggregate of all issues five per centum of the grand list of said district. Said meeting shall fix the rate of interest on said bonds, the time and place of payment of principal and interest thereon, the amount and kind of bonds, the manner in which they shall be issued and sold, and the person or persons by whom the same shall be signed on behalf of said district. A certain part of said bonds shall become due each year. Said district shall make provision for a sinking fund for the payment of said bonds. The proceeds of the sale of such bonds shall be paid into the district treasury and no portion of the money so raised shall be used for any purpose other than that for which said bonds were issued. Any balance remaining after completing such payment shall be used only for the purchase of land or the purchase or construction of buildings or their enlargement or equipment.

Sec. 6. This act shall not take effect until it has been approved by the voters of said district at a meeting duly warned and held for that purpose. Said vote shall be taken by ballot and check list upon each section hereof. Each

person in favor of the adoption of any section of this act shall deposit a ballot with the words written or printed: Section Yes, and every person opposed shall deposit a ballot with the words written or printed: Section No. Those sections approved by a majority vote of the district as aforesaid shall take effect immediately.

Approved June 5, 1913.

(Substitute for House Bill No. 191)

(98)

An Act Amending a Resolution Concerning the Ninth School District of Manchester.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section two of a resolution concerning the ninth school district of Manchester, approved June 11, 1895, is hereby amended to read as follows: The first meeting of said district shall be held in June, 1895, and shall be called by the present district committee. At said meeting shall be elected by ballot a committee consisting of five persons whose term of office shall begin July fifteenth, 1895. One of this number shall be elected to hold office until the next annual meeting, two until the second annual meeting, and the remaining two until the third annual meeting thereafter. At each annual meeting of said district, which shall be held in June, so many members of said committee shall be elected by ballot to hold office for three years as, together with those previously elected to hold office beyond said annual meeting, will make the whole number five; and all members of said committee shall be residents of said district. In case of vacancy caused by resignation, death, or removal from the district, the remaining members of the committee shall fill the vacancy until the next annual meeting of said district, when a member shall be elected for the unexpired term. The district committe, or a majority thereof, shall give notice of all meetings of said district, and may call a special meeting thereof at any time, and shall call one on the written request of twenty legal voters of the district.

Sec. 2. A resolution amending the charter of the ninth school district of Manchester, approved March 31, 1897, is hereby repealed.

Sec. 3. This act shall take effect from its passage.

Approved, March 30, 1915.

(House Bill No. 644)

(340)

An Act Establishing the Town Court of Manchester.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. There is hereby established in the Town of Manchester a court to be styled and called the town court of Manchester, which shall have jurisdiction of all crimes and misdemeanors and nuisances committed within said town, and of all breaches and violations of the by-laws and regulations of said town, punishable by fine not exceeding two hundred and fifty dollars, or by imprisonment in a common jail or workhouse for a term not exceeding six months, or by both such fine and imprisonment; also for the recovery of all fines, penalties, and forfeitures for the violation of any of the laws of this state, or of the by-laws or regulations of the town of Manchester, wherein the fine, penalty, or forfeiture does not exceed in amount the sum of two hundred and fifty dollars, or imprisonment in a common jail or workhouse for a term not exceeding six months, or both; and said court shall have power to proceed to trial, render judgment, and grant warrant of execution to carry into effect, and to enforce any order or judgment of said court; provided, however, that the accused in all cases may appeal to the next superior court for Hartford county having criminal jurisdiction, and upon such appeal he shall give a recognizance, with surety, to the state, conditioned that he shall appeal before said superior court to answer to the complaint, and abide the order and judgment of said court theeron, and, on his failure to enter into said recognizance, said court shall order him to be committed to the jail in said county till the next term of said superior court, there to answer to said complaint and abide the order and judgment of said superior court thereon.

Sec. 2. Said court shall be held to be a police court, and said court and the judge thereof shall have all the powers by law conferred upon police courts and the judges thereof.

Sec. 3. Said court shall also have and exercise, within said town all the authority and powers which justices of the peace have and exercise in all matters of a criminal form and nature and actions *in rem*, and may proceed therein in such manner as such justices of the peace may do; and no grand juror or prosecuting agent shall make complaint either to said court or to a justice of the peace of any criminal matter arising within the Town of Manchester, nor shall any justice of the peace take cognizance

of any action or complaint or action *in rem* arising within the Town of Manchester.

Sec. 4. There shall be a judge and deputy judge of said court, to be appointed by the general assembly, and they shall take the oath provided for judicial officers, and shall hold their respective offices for two years, commencing on the first Monday of July next following their appointment, and until others are appointed and qualified in their stead. The deputy judge shall, in case of a vacancy in the office of the judge, or in his absence, disqualification, or inability, or at his request, act as the judge of said court, and shall, while so acting, have all the powers of said judge.

Sec. 5. Said court shall be legally constituted for the exercise of any of the powers or jurisdiction conferred by this act, whenever the judge or deputy judge thereof shall be present; and said court shall proceed in all cases without a jury; may issue subpoenas and warrants of capias for witnesses, warrants of arrest upon complaints made to it of crimes, and all other criminal process, and administer justice in all criminal matters whereof this act gives jurisdiction according to law; and may hold the accused for trial in the superior court for Hartford county, in cases beyond the jurisdiction of said town court, or in cases where, in the opinion of said court, the offense charged against the accused is of so aggravated a character as to require a greater punishment than said town court can impose; said court may adjourn any case to a future time, and require recognizance for the appearance of the accused, or, in default thereof, may commit him to jail to await the time of trial; when the court may have final jurisdiction of the case, the recognizance shall be to the town of Manchester, and in all other cases, and upon appeals and binding over to the superior court, the recognizance shall be to the state.

Sec. 6. The judge of said court shall annually appoint a prosecuting attorney and an assistant prosecuting attorney, to act in the absense or at the request of the prosecuting attorney, who shall have all the powers of the prosecuting attorney while acting in his stead, both of whom shall be sworn to a faithful discharge of their duties. Within the cognizance and jurisdiction of, and as may be provided and restricted by this act, said attorney shall exercise the same authority and perform the same duties as are now provided by law for state's attorneys in their several counties; and said attorney shall further have the same powers and authority as are or may hereafter be conferred upon grand jurors or prosecuting agents by the general statutes.

Sec. 7. It shall be the duty of the prosecuting attorneys diligently to inquire after and make due presentment and complaint to said court of all crimes, misdemeanors, and other criminal matters whereof said court has jurisdiction, or wherein said court may proceed, whether committed before or after his appointment to office, but in case of urgent necessity, he may make such presentment or complaint to any justice of the peace for Hartford county residing in Manchester, or to the judge or deputy judge of said court, who may issue a warrant for the arrest of the accused person, commanding the proper officer or indifferent person to arrest such accused person and bring him before said court, and the accused shall be by said court dealt with in the same manner as though said presentment or complaint had been made to said court and said warrant issued thereby.

Sec. 8. Said attorney shall collect in the name of the Town of Manchester, and by suit, when necessary, all forfeited bonds payable to said town, and shall pay all sums received by him into the town treasury; and said attorney and assistant attorney may issue subpoenas for witnesses to appear before said court in criminal cases. They shall each give bond to the Town of Manchester, with surety to the acceptance of the selectmen, in such amount as such selectmen shall fix, conditioned for the faithful discharge of their duty.

Sec. 9. The judge or deputy judge of said court shall act as clerk theerof, and shall keep the records thereof, and certify the same and copies thereof, and said judge shall receive all fines and costs paid before commitment; and all fines and costs paid after commitment to the keeper of the jail, or other place where the offender is confined, shall be paid by such keeper to the judge. Said judge shall also draw from the superior court all sums taxed in it for costs in said town court, in cases coming before said superior court from said town court by appeal, binding over, or otherwise, including all costs in cases before said town court when the accused shall be discharged for want of probable cause and the offense charged is beyond the jurisdiction of said court. All fines, costs, and other sums coming into his hands shall be paid by said judge into the town treasury for the use thereof; and said judge shall draw orders on the treasurer for all such costs and fees that may be taxed by said court in any criminal case and payable from the town treasury, and costs and fees shall be paid only to those persons in whose favor they may have been taxed, or on their written order.

Sec. 10. No fees for attendance at court, keeping a prisoner, or for assistance in making an arrest, shall be taxed or allowed to

any officer serving criminal process, unless said court shall find that such attendance, keeping, or assistance was necessary, but said court may tax and allow legal fees, in its discretion, to any officer making arrests when the offender was apprehended in the act, or on the speedy information of others. No fee shall be allowed to any bystander as a witness before said court, nor shall any person be entitled to receive any costs, unless demand shall be made therefor within thirty days after the same shall become due.

Sec. 11. The judge shall account to the treasurer of said town quarterly, under such regulations as the selectmen shall prescribe, for all moneys received by him under the provisions of this act, and shall pay said money at said time of accounting into the treasury of said town. He shall execute a penal bond in the sum of one thousand dollars, with surety satisfactory to the selectmen, for the faithful discharge of his duties in the care, custody, and accounting for all moneys received by him under the provisions of this act.

Sec. 12. The judge of said court shall receive a salary of five hundred dollars per annum, and the deputy judge a salary of fifty dollars per annum; but if the deputy judge shall be required to act in more than one-ninth of the cases before said court, his compensation shall be increased so as to be proportional to the number of cases tried, and such additional compensation shall be deducted from the compensation of the judge. The salary of the prosecuting attorney shall be six hundred dollars and the salary of the assistant prosecuting attorney shall be fifty dollars per annum; but if the assistant prosecuting attorney shall be required to act in more than one-ninth of the cases before said court, his compensation shall be increased so as to be proportional to the number of cases prosecuted, and such additional compensation shall be deducted from the compensation of the prosecuting attorney. The salaries and compensation provided in this section shall be in lieu of all fees whatever for the services of said officers arising from the business of said court, and shall be paid monthly from the treasury of said town upon the order of the judge of said court.

Sec. 13. The same costs shall be taxed in said courts as are taxed in similar cases before justices of the peace, except that two dollars for the trial of each case, and one dollar on each appeal shall be taxed; and all copies in cases going to the superior court fro msaid town court by appeal, binding over, or otherwise, shall, with the addition last mentioned, be taxed the same as in similar cases going to the superior court from justices of the peace. All costs for services of process and witness fees, and

other costs taxable by law, and not for services within the duty of the judge, deputy judge, prosecuting attorney, or assistant prosecuting attorney, shall be paid out of the town treasury upon the order of the judge or deputy judge.

Sec. 14. Said court may reduce or disallow fees taxable by said court in cases where the negligence of any ministerial officer, or the discharge of the accused for want of sufficient evidence, or the insufficiency of the service rendered, or other circumstances, shall render such reduction or disallowance just in the opinion of the court.

Sec. 15. All process issued by said town court shall be signed by the judge or deputy judge; subpoenas to procure the attendance of witnesses before said court may be signed by the judge, deputy judge, prosecuting attorney, or assistant prosecuting attorney; bonds or recognizances on the continuance of any case, or on binding over or appeal to the superior court, shall be taken by the judge or deputy judge, and bonds for appearance at said court to answer may be taken by the judge, the deputy judge, the prosecuting attorney, or the assistant prosecuting attorney, and the authority taking such bond for appearance shall note on the warrant the name of the surety, the amount of the bond, and the date and hour at which the accused is to appear before said court, which entry shall be a part of the file of said case. Neither said judge nor deputy judge shall be disqualified to act in any case from which money by penalty or otherwise shall accrue to the town or borough of Manchester by reason of their being residents or taxpayers of said town or borough.

Sec. 16. When any person shall be arraigned before said court for drunkenness, vagrancy, disorderly conduct, or breach of the peace, said court may indefinitely suspend the execution of the sentence, whenever such suspension may seem to the court reasonable, either by reason of the age of the accused, or the circumstances of the case.

Sec. 17. Sureties of the peace and good behavior may be required by said court in such cases and in such manner as justices of the peace are now authorized by law to require the same; and said court may require sureties of the peace and good behavior, in addition to or in lieu of any penalty imposed by said court in cases brought by said prosecuting attorney, whenever a prayer therefor shall be inserted in said complaint, and the interests of justice require it.

Sec. 18. Said town court shall have jurisdiction of bastardy suits and may proceed therein in the same manner and to the same extent that justices of the peace may do.

Sec. 19. Said town court shall have exclusive jurisdiction of all proceedings for search or seizure of spirituous or intoxicating liquors intended by the owner or keeper thereof to be sold or exchanged within said town of Manchester in violation of law, and may proceed thereon in the same manner and to the same extent that justices of the peace heretofore might do, except as hreinafter provided, subject to right of appeal to the court of common pleas for Hartford County. No fees shall be taxed for said court or prosecuting attorney on any complaint or warrant for search or seizure of spirituous or intoxicating liquors, but in case any seized liquors which have been claimed at trial shall be adjudged a nuisance, a trial fee of two dollars, in addition to other taxable costs, shall be taxed against the defendant or defendants claiming said seized liquors. Also in addition thereto one dollar and cost of copies in case of appeal shall be taxed against such defendant or defendants. No appeal copies shall be delivered to appellant or forwarded to said court of common pleas until paid for by appellant. Fees taxable by said town court in any proceeding for search or seizure of spirituous or intoxicating liquors may be reduced or disalowed when, in the opinion of said court, such reduction or disallowance is just or expedient. All costs for services or process and witness fees, and other costs in any proceedings for search or seizure of spirituous or intoxicating liquors taxable by said town court, and not for services within the duty of the judge, deputy judge, prosecuting attorney, or assistant prosecuting attorney, of said town court, not collectible from defendant or defendants in such proceedings, shall be paid out of the treasury of said Town of Manchester upon the order of the judge or deputy judge of said town court.

Sec. 20. The selectmen of said town shall provide a court room, and such other accommodations thereof as the judge shall deem necessary, and also record books, blanks, stationery, and other necessary articles therefor.

Sec. 21. The judge or deputy judge may, whenever he deems it necessary, appoint an officer to attend any session thereof for the purpose of preserving order, and the court may tax reasonable fees for said attendance in the case for which said appointment was made.

Sec. 22. In case of a vacancy in the offices of judge and deputy judge of said court, or in case of the absence or inability of both, the prosecuting attorney may cite in any justice of the peace for Hartford county, residing in said town, who, during the continuance of such vacancy, absence, or inability, may hold

said court, and exercise the same powers as the judge of said court; but complaints shall be made to him only by the prosecuting attorney or assistant prosecuting attorney, and costs shall be taxed as is provided in this act. Said justice of the peace shall be paid by the town the fees provided by law for justices of the peace, and said pay shall be deducted from the compensation of the judge.

Sec. 23. Nothing contained in this act shall be taken to prevent the deputy judge or assistant prosecuting attorney of said court from appearing as counsel before it in the defense of cases whenever they are not needed for the performance of the duties of their offices.

Sec. 24. This act shall take effect on the first Monday of July, 1895; but it shall be lawful for the general assembly to appoint the judge and deputy judge of said court at any time after the passage of this act.

Approved, June 20, 1895.

(Substitute for House Bill No. 676)

(195)

An Act Amending an Act Concerning the Town Court of Manchester.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section nine of an act establishing the town court of Manchester, approved June 20, 1895, is hereby amended to read as follows: The deputy judge of said court shall act as clerk thereof, and shall keep the records thereof, and certify the same and copies thereof, and said clerk shall receive all fines and costs paid before commitment; and all fines and costs paid after commitment to the keeper of the jail, or other place where the offender is confined, shall be paid by such keeper to the clerk. Said clerk shall also draw from the superior court all sums taxed by it for costs in said town court, in cases coming before said superior court from said town court by appeal, binding over, or otherwise, including all costs in cases before said town court when the accused shall be discharged for want of probable cause and the offense charged is beyond the jurisdiction of said court. All fines, costs, and other sums coming into his hands shall be paid by said clerk into the town treasury for the use thereof; and said clerk shall draw orders on the treasurer for all such costs and fees that may be taxed by said court in any criminal case and payable from the town treasury, and costs and

fees shall be paid only to those persons in whose favor they may have been taxed, or on their written order.

Sec. 2. Section eleven of said act is hereby amended to read as follows: The clerk shall account to the treasurer of said town quarterly, under such regulations as the selectmen shall prescribe, for all moneys received by him under the provisions of this act, and shall pay such money at the time of accounting into the treasury of said town. He shall execute a penal bond in the sum of one thousand dollars, with surety satisfactory to the selectmen, for the faithful discharge of his duties in the care of and accounting for all moneys received by him under the provisions of this act.

Sec. 3. Section twelve of said act is hereby amended to read as follows: The judge of said court shall receive a salary of six hundred dollars per annum, and the deputy judge a salary of three hundred dollars per annum; but if the deputy judge shall be required to act in more than one-sixth of the cases before said court, his compensation shall be increased so as to be proportional to the number of cases tried, and such additional compensation shall be deducted from the compensation of the judge. The salary of the prosecuting attorney shall be six hundred dollars per annum, and the salary of the assistant prosecuting attorney shall be one hundred dollars per annum; but if the assistant prosecuting attorney shall be required to act in more than one-sixth of the cases before said court, his compensation shall be increased so as to be proportional to the number of cases prosecuted, and such additional compensation shall be deducted from the compensation of the prosecuting attorney. The salaries and compensation provided for in this section shall be in lieu of fees for services of said officers arising from the business in said court, and shall be paid monthly from the treasury of said town upon the order of the clerk of said court.

Sec. 4. Section thirteen of said act is hereby amended to read as follows: The same costs shall be taxed in said court as are taxed in similar cases before justices of the peace, except that two dollars for the trial of each case, and one dollar on each appeal shall be taxed; and all copies in cases going to the superior court from said town court by appeal, binding over, or otherwise shall, with the addition last mentioned, be taxed the same as in similar cases going to the superior court from justices of the peace. All costs for services of process and witness fees, and other costs taxable by law, and not for services within the duty of the judge, prosecuting attorney, or assistant prosecuting attorney, shall be

paid out of the town treasury upon the order of the clerk.

Approved, April 29, 1915.

(Substitute for House Bill No. 253)

(321)

An Act Concerning the Nomination of Candidates for Public Office, and the Number, Powers, and Duties of Town Officers in the Town of Manchester.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. All candidates for town officers required by law to be elected by ballot, justices of the peace, and representatives in the general assembly for the Town of Manchester, and for judge of probate for the district of Manchester shall be nominated in the manner hereinafter provided.

Sec. 2. The provisions of the general statutes concerning the enrollment of voters in political primaries and caucuses are hereby made part of this act.

Sec. 3. Any elector legally registered upon the enrollment list of any political party may propose any elector of said town as a candidate for any town office or other office mentioned in section one, to be voted for at the next succeeding annual town meeting or at any electors' meeting to be held within three months thereafter, by a written statemnt of the name and post office address of such candidate, and of the office and party for which he is proposed, endorsed and subscribed by at least ten electors of said town legally registered upon the enrollment list of the political party of which the person proposed is announced as a candidate. Said proposal, endorsed as aforesaid, shall be lodged with the town clerk of the said town at least fifteen days before the third Tuesday of September next preceding said annual town meeting or electors' meeting. Said town clerk, at least ten days before the nominating caucus hereinafter provided for is to be held, shall cause the names of all the candidates of all political parties so proposed as aforesaid, arranged so as to show the particular nomination of each proposed nominee, to be published in one or more newspapers published in said Town of Manchester. All expenses for such publication and all expenses required by this act shall be paid by the town treasurer on order of the selectmen.

Sec. 4. Only electors whose names are registered on the

enrollment list of their respective parties shall vote at nominating caucuses, as hereinafter provided, and such electors shall vote only for so many candidates for each office as said town is by law required to elect, or for so many as are specially provided for by this act.

Sec. 5. If, fifteen days before said third Tuesday of September, a vacancy exists by reason of death, withdrawal, or failure to propose nominations, or other causes, in the nominations of any party for any of the offices to be voted for in said town at the annual town meeting or electors' meeting to be held within three months thereafter, including justices of the peace and representatives in the general assembly for said town and judge of probate for the district of Manchester, then the town committee of the political party in the nominations of which such vacancy exists may propose a candidate or candidates to fill such vacancy, and upon the certificate of said town committee stating the names of candidates so proposed by it, filed with the town clerk at least ten days before said third Tuesday of September, said town clerk shall add the name or names so proposed to the list of candidates of such party; and the persons proposed as aforesaid, and named in said certificate filed as aforesaid, shall be the candidates of said party to be voted for at the nominating caucus as hereinafter provided.

Sec. 6. Any candidate whose name has been so presented for nomination in said nominating caucus may withdraw his name by presenting a withdrawal in writing to the town clerk not later than five o'clock in the afternoon of the Friday next before said third Tuesday of September. In case of such withdrawal, or in the event of the death of any candidate, the town committee may fill such vacancy, and shall notify the town clerk in writing of such action not later than eight o'clock at night of the following Saturday, and said town clerk shall correct the list of names presented in accordance with such written statement of said town committee.

Sec. 7. On or before the Monday next preceding said third Tuesday of September the town clerk shall cause to be prepared and printed at least twice as many ballots of each political party as there are electors registered on the enrollment list of said party, each ballot to contain the list of all proposed candidates for nomination by said party for each office, arranged in alphabetical order, in accordance with the proposals for nominations filed with said town

clerk, as aforesaid, by said electors or by said town committee, and at the left of each name proposed for nomination there shall be printed a hollow square not less than one-fourth of an inch in width. The name of the political party shall be printed at the top of the ballot of each political party, respectively. The names of candidates proposed for each office shall be printed on said ballot under the name of the office for which they are proposed to be nominated. The ballots for the several political parties, and the envelopes for said ballots shall be of uniform size and shall be printed on plain white paper. Said town clerk shall provide a sufficient number of said envelopes and deliver the same to the envelope distributors before the opening of the nominating caucus, shall deliver ballots of each political party to the chairman of the town committee of each party on or before the opening of said caucus, and shall provide the voting booths to be used at said caucus with a sufficient supply of lead pencils. Said nominating caucus shall be held in the town hall in said town, annually, on the third Tuesday of September, and the voting booths therein shall be used as provided by law for electors' meetings. The polls shall be open at nine o'clock in the morning and shall remain open until eight o'clock at night of said day, and no longer. The registrars shall appoint one moderator, and voting booth tenders, ticket and envelope distributors, checkers, and counters for said nominating caucus, and shall provide at least as many ballot boxes for said caucus as there are political parties voting at said meeting. Each ballot box shall be plainly marked with only the name of one political party. The voting list of said nominating caucus shall be the enrollment lists of the several political parties, two copies of which lists shall be furnished by the registrars of voters to the chairman of each town committee of the respective parties at least six days before said nominating caucus is held.

Sec. 8. Each elector voting at said nominating caucus shall enter the voting booth, make a cross opposite the name of the proposed candidate or candidates for each office for whom he wishes to vote, in the square provided for such purpose on said ballot, place said ballot in an envelope, and shall then proceed to the ballot box and announce to the moderator his name, and the party for whose candidates he wishes to vote; when his name has been checked on the enrollment list he shall deposit his ballot in the ballot box of the political party in which he is enrolled. Separate

checkers and counters from each political party shall be provided for each ballot box. No person shall vote at said caucus for more candidates for any office than his party is entitled to elect. Any ballot containing more names crossed as candidates for an office than one person is entitled to vote for shall be rejected so far as that office is concerned. The provisions of the general statutes concerning the endorsing and sealing of envelopes, and concerning double ballots, shall apply to said caucuses. A ballot deposited in a wrong box shall not be counted.

Sec. 9. Upon the closing of the polls at said nominating caucus the ballots in each ballot box shall be separately counted, and the result of each count shall be separately certified to by the counters and the moderator and the certificates deposited with the town clerk as soon as completed; and the person so certified to have received the greatest number of votes as candidates of the respective parties for the several offices to be balloted for at the annual town meeting, or at the electors' meeting next thereafter to be held, shall be the nominees of the respective parties for the respective offices at said annual town meeting or at said electors' meeting.

Sec. 10. If a nomination by any party for any office shall fail to be made by reason of a tie vote at such nominating caucus, said caucus shall stand adjourned until the succeeding Thursday at nine o'clock in the forenoon, when the polls shall be opened and remain open until eight o'clock at night of said day and no longer, and ballots shall be cast for candidates for such nomination under the same provisions as are hereinbefore provided for nominating caucuses. The several officers appointed for the conduct of said nominating caucus shall continue to act in the same capacity at said adjourned caucus, unless otherwise ordered by the registrars.

Sec. 11. The provisions relating to said nominating caucus and the candidates to be voted for therein shall not be obligatory upon any political party or political organization in said town casting less than ten per centum of the total vote of said town at the last previous general election.

Sec. 12. Any candidate who has been nominated in said nominating caucus may withdraw his name by sending a withdrawal in writing to the town committee of the political party with which he has registered, not later than five o'clock in the afternoon of the Friday before the election at

which he was to be voted for; and upon receipt of such withdrawal, or in the event of the death of any candidate before said time, said town committee may fill any vacancy caused thereby and shall notify the town clerk in writing of any nomination so made not later than eight o'clock at night of the following Saturday, whereupon said town clerk shall cause the list of the nominees of said party to be corrected in accordance with the written statement of said town committee.

Sec. 13. At all town meetings and electors' meetings held in said town, as many ballot boxes may be used as, in the opinion of the selectmen, will facilitate the receiving of the votes at said meetings, for each of which ballot boxes, box tenders and checkers shall be appointed in the manner now provided by law for the holding of electors' meetings when the electors vote by ballot and check list.

Sec. 14. Said Town of Manchester, at any town meeting legally warned and held for that purpose, may authorize its board of selectmen to appoint such number of policemen as may, at said meeting, be determined upon, which policemen shall have the powers of constables to serve criminal process and arrest for crime, during the time for which they shall be appointed, unless sooner dismissed by said board. Said policemen shall be under the control of said board, which shall make all regulations as to their duties, and any policeman so appointed may be summarily dismissed by said board upon its own motion, at any time, or upon written complaint of any person to said board, after a hearing, upon such notice to said policeman and other parties interested as said board shall deem reasonable.

Sec. 15. There shall be annually elected in the Town of Manchester, on the first Monday in October, seven selectmen, who shall constitute the board of selectmen and who, as such board, shall have all the powers now conferred by law upon selectmen, except such powers as may be otherwise conferred or provided for by this act, and shall also have such additional powers as are granted by this act. The office of first selectman in the Town of Manchester is hereby abolished. No person shall, at said annual town meeting, vote for more than five selectmen.

Sec. 16. The selectmen so elected shall organize by the selection of one of their number to be chairman of the board. He shall preside at all meetings of the board and may call special meetings thereof, and shall have charge of

the preparation of the annual report of the board. He shall call special meetings of the board whenever requested by three members of the board. Said board shall also choose one of its number as secretary, who shall keep a correct report of all meetings of the board, which record shall be open to reasonable inspection, in the presence of the board or any member thereof, by any taxpayer or voter of said town.

Sec. 17. Said board shall have charge of the prudential affairs of said town; shall plan, determine, and execute all town contracts, work, and obligations, the cost of which shall not exceed the sum of one thousand dollars, unless otherwise ordered by vote of the town; shall obtain for the town treasurer, in the manner provided by law, all such sums as the town shall vote to borrow; shall advise the town as to what expenses the town should incur and how the same shall be paid, but no money shall be borrowed or obligation given or incurred unless the same is authorized by vote of the town at a legally warned and held town meeting; shall annually cause to be prepared and published, and, as far as possible, distributed to each elector, at least ten days prior to the annual town meeting, a summary of the receipts and expenditures of said town, and of the amount and nature of the town's indebtedness; and shall also prepare and publish an annual report, as now required by law.

Sec 18. Whenever a special town meeting shall be called for any purpose, the board of selectmen shall investigate all matters to be brought before said meeting and recommend such action as, in its judgmnt, shall seem for the best interests of the town, and said board shall, in its annual report, estimate the amounts needed for the various departments of the town's expense for the year ensuing and recommend specific appropriations therefor.

Sec. 19. No selectman of the Town of Manchester shall receive for his own use, directly or indirectly, from the treasury of the town, any payment, commission, or compensation for services rendered, or for materials, goods, or merchandise sold to said town, or to persons dependent on said town, or for the town's use, unless he be the lowest bidder upon a contract awarded after open competition; provided, that nothing herein shall be so construed as to prevent the payment of salaries, as such, to said selectmen. Any selectman who shall be convicted of a violation of any provision of this

section shall be imprisoned not more than one year, or fined not more than three hundred dollars, or both.

Sec. 20. Said board shall appoint, and may remove for cause, a superintendent of roads and bridges and a superintendent of charities, and may appoint, and may remove for cause, a superintendent of parks, none of whom shall be a member of said board, and may fix the compensation of said officers. Said board may also employ a clerk and fix a reasonable compensation for his services. The town clerk shall be eligible for appointment as such clerk.

Sec. 21. The board of selectmen shall hold at least one meeting in each month for the transaction of the business of the town, which meetings shall be open to the public, and reasonable notice of the time and place of holding said meetings shall be given by publication in a newspaper published in said town. At any such meeting any citizen of the town may be heard in discussion of any subject of general interest to the town or to the taxpayers thereof. The board may hold executive meetings at any time and place when necessary. Said board, or a majority thereof, shall execute all contracts in which the town is interested, and disburse all moneys. No bills against the town shall be paid until regularly approved by a majority of the board.

Sec. 22. Whenever any work authorized by vote of the town shall exceed in its estimated cost the sum of one thousand dollars, said board, unless otherwise ordered by vote of the town, shall advertise for bids for the accomplishment of such work, and shall award the contract for the same to the lowest responsible bidder, reserving the right to reject any or all bids if the interest of the town so demand. All orders on the town treasurer shall be signed by a majority of the board and attested by the clerk of said board.

Sec 23. In the event of the absence, sickness, or inability of the chairman of the board, a chairman pro tempore shall be chosen who, during such absence or inability, shall have all of the powers and be charged with all of the duties and obligations incident to the position of chairman of the board.

Sec. 24. Each member of the board shall be paid the sum of one hundred dollars per year for his services; provided, that such member has attended all the meetings of the board for the current year, but for each failure to attend a regularly called meeting there shall be deducted from such compensation a sum equal to the average amount received for each meeting of the board during the current year. Such sum

shall be in lieu of any compensation now provided by law, and in full payment for services rendered as a member of such board.

Sec. 25. The board of selectmen, after notice in writing to the owner of a burned, dilapidated, or dangerous building, and a hearing, may adjudge such building to be a nuisance, or dangerous to the public, and may thereupon make an order prescribing the disposition, alteration, or regulation thereof. The town clerk shall deliver a copy of such order to any officer qualified to serve civil process in the Town of Manchester, who shall forthwith serve an attested copy thereof upon such owner or his representative, and make return of his doings thereon to said clerk. Any person or persons aggrieved by such order may, within ten days after the service thereof upon him, petition a judge of the court of common pleas for Hartford county for a review of the doings of said board of selectmen and, upon such notice to said board of selectmen as said judge may prescribe, said judge shall, after due hearing, appoint three disinterested freeholders of adjoining towns, not resident in Manchester, to review said doings. Said freeholders so appointed shall give due notice to all persons interested to appear and be heard before them at such time and place as they may fix, and shall affirm, reject or alter said order of said selectmen, and make return of the same under oath to said judge. Said judge may accept said report, or may set the same aside and appoint other persons qualified in like manner to perform said duty. If, upon the acceptance of any such report, the order of the selectmen appealed from shall be reversed, the costs of said petition and review shall be paid by the Town of Manchester, otherwise by the applicant. Costs shall be taxed as in civil actions originally brought to said court, and said judge shall have power to issue execution for the amount of such costs. The report of the freeholders accepted by said judge shall be filed with the town clerk of said Town of Manchester and entered upon the records of said town. The board of selectmen shall have power and authority to enforce any order made under the provisions of this section, and, if the owner or owners of any such building shall neglect or refuse to comply with such order within thirty days after it becomes final, said board of selectmen may cause said order to be carried out, and all expenses connected therewith shall be paid by the said owner or owners, and shall become a debt due from the owner or owners

of said building to said town and may be recovered by any proper action in the name of the Town of Manchester.

Sec. 26. The annual town meeting of the Town of Manchester shall be held at the time and in the manner now provided by law.

Sec. 27. The Town of Manchester may make such orders and by-laws, not repugnant to law, as it may judge most conducive to its welfare, which orders and by-laws shall be binding upon all the inhabitants thereof and upon all persons coming within its limits. It may affix penalties for breaches thereof, not exceeding twenty dollars for each offence, which penalties may be recovered on complaint before the town court of Manchester and shall inure to the town or to such uses as it may direct.

Sec. 28. There shall be three assessors in the Town of Manchester, and the town, at its annual town meeting in October next after the acceptance of this act, shall elect one assessor to hold office for the term of one year, one assessor to hold office for the term of two years, and one assessor to hold office for the term of three years, and at each annual town meeting thereafter said town shall elect one assessor to hold office for the term of three years. Each assessor shall hold office from the date of his election and until his successor is duly elected and qualified. In case of a vacancy in the office of assessor the town shall, at its next annual meeting, elect some person for the unexpired term. Any person qualified to vote in town meeting may vote for as many persons for assessor as said meeting is required to elect under the provisions of this act.

Sec. 29. Any meeting called for the purpose of considering the question of the adoption of this act shall be holden in the town hall in said Manchester, and shall be warned by advertisement published in some newspaper or newspapers published in said town and set upon the public sign-post in said town, signed by Richard Manning, Charles E. Bunce, Elisha C. Hilliard, A. Willard Case, Charles O. Treat, Frank Cheney, Jr., F. Ernest Watkins, John S. Risley, Justus W. Hale, Julius J. Strickland, Harry M. Burke, Robert G. Campbell, John T. Robertson, Herbert O. Bowers, and Horace B. Cheney, electors residing within said town, or a majority of them, and by depositing a copy thereof with the registrars of voters of said town, at least fifteen days before the date of said meeting; and said registrars shall thereupon prepare, for use at said meeting, a list of the legally qualified

electors and voters of said town at the time of the completion of the last revised registry list of the said town. Said meeting shall be opened at nine o'clock in the forenoon and closed at eight o'clock at night. Said registrars shall prepare a ballot box for use at said meeting which shall be open during the hours hereinbefore named; they shall also appoint the moderator, checkers, and counters for the taking of the votes at said meeting, which votes shall be only upon the question of the adoption of this act, and shall be taken by ballot enclosed in an envelope and cast with the same formalities and under the same requirements as now provided by law for ballots for town officers at town elections. The ballot to be used at said meeting shall be of plain white paper, four inches long and two inches wide, and shall bear the word "Yes" or the word "No" thereon; those in favor of the ratification and adoption of this act shall vote "Yes" and those opposed to the ratification and adoption of this act shall vote "No." The envelopes to be used at said meeting shall be provided by the town clerk of the Town of Manchester, and shall be of uniform size and color, and shall bear the seal of the state of Connecticut printed thereon. After the counting of said votes the result shall be declared by the moderator in open meeting and before any adjournment thereof. If said meeting shall vote to adopt and accept this act, it shall take effect immediately. If said meeting shall vote to reject this act, any meeting or meetings for its further consideration may be held, under the same conditions as to call and conduct, at any time before the sitting of the next general assembly.

Sec. 30. All acts and parts of acts inconsistent with any of the provisions of this act shall not be construed as interfering with or preventing the complete operation of this act and all its provisions; provided, however, that nothing in this act shall be construed to affect the resolution incorporating the ninth school district of Manchester, approved June 11, 1895, and amendments thereto, and chapter 195 of the public acts of 1903; except that section four of said resolution incorporating the ninth school district of Manchester is hereby amended to read as follows: In the Town of Manchester, in each year, before the third Tuesday of June, the school visitors shall elect three of their number, and the committee chosen under the provisions of this resolution shall also elect three of its number, and the board of selectmen shall elect three of its members, and the nine

persons shall be the joint board of the Town of Manchester in lieu of that provided for in section 2234 of the general statutes, and shall have the rights and perform the duties of said joint board prescribed in sections 2234, 2236, and 2237 of the general statutes.

Approved, June 28, 1907.

Act adopted by Town October 28, 1907.

(Substitute for House Bill No. 220)

(322)

An Act Amending an Act Concerning the Nomination of Candidates for Public Office, and the Number, Powers, and Duties of Town Officers in the Town of Manchester.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section seven of an act concerning the nomination of candidates for public office, and the number, powers, and duties of town officers in the Town of Manchester, approved June 28, 1907,, is hereby amended by adding after the word "nominated," in line fourteen, the words "and the number of candidates for which each voter is entitled to vote in the caucus shall be plainly designated at the left of the name of the office to be filled."

Sec. 2. The superintendent of roads and bridges in said town shall be, ex-officio, tree warden; and no public shade tree shall be cut or trimmed until the tree warden has issued a written permit to cut or trim such tree, which permit shall clearly specify what cutting or trimming may be done. The provisions of section 4443 of the general statutes as amended by chapter 83 of the public acts of 1903 and chapter 114 of the public acts of 1905 shall not apply to the Town of Manchester.

Sec. 3. The selectmen of the Town of Manchester are hereby empowered to lay out and establish the grade, curb line, and width of sidewalks. The expense of establishing the grade, curb line, or width of sidewalks, exclusive of damages, shall be paid by said town.

Sec. 4. Whenever any petition, resolution, or proposition shall be presented to or offered at any meeting of said selectmen for designating and fixing the curb line, width, course, height, and level of any sidewalk in or upon any highway or street in said town, in the manner provided in the preceding section of this act, action on such petition,

resolution, proposition, or application shall be postponed to an adjourned meeting, or continued to the next regular monthly meeting of said selectmen, and notice thereof shall be given to the parties interested to appear, as they may see cause, before said selectmen at said adjourned or regular meeting, to be heard in relation thereto. A notice, signed by the chairman or clerk of said board of selectmen, and deposited in a post office in Manchester, postpaid and addressed to each of said proprietors, or their legal representatives, at his or their last known post office address, at least ten days before the time of holding such meeting, shall be deemed sufficient notice to each and all of the parties. Said selectmen shall, at said meeting, or at an adjourned meeting thereof, hear all parties in interest who may appear, and shall make such decisions in the premises as to them shall seem proper.

Sec. 5. Every order passed by said selectmen pursuant to the provisions of section four shall be filed with the town clerk and, unless appealed from, shall be recorded in the land records of the town. Any person aggrieved by any such order may, within ten days after the filing of such order, appeal therefrom to a judge of the court of common pleas for Hartford county, and such judge shall hear and determine such appeal. Such appeal shall be by a petition in writing, setting forth the order appealed from, asking for a rehearing of said order, with a citation attached thereto, signed by any authority authorized to sign writs, and returnable before any such judge at the same time, and served and returned in the same manner as is required in case of a summons in a civil action returnable before said court. Service of said citation shall be upon the town clerk.

Sec. 6. Such appeal may be heard by such judge, or, upon the motion of any party interested therein, may be referred for a hearing to a committee to be appointed by such judge, to report to him the facts and their conclusions thereon.

Sec. 7. If after the hearing upon the appeal from any order such judge shall find cause to alter the same, then such judge may alter the order, having first caused notice to be given to all parties affected by any such alteration, and having given an opportunity to be heard regarding the same, as provided in section eight of this act.

Sec. 8. If the judge or committee hearing such appeal shall be of the opinion that persons other than those who

appear upon the record are interested in the subject-matter of such appeal, such judge or committee shall cause notice to be given to such other persons, in such manner as such judge or committee may direct, to appear and be heard thereon. Such judge shall have all necessary power for the purpose of disposing of such appeal, and may render judgment therein, and may tax costs in his discretion in favor of any party as is now allowed by law in cases of appeals from judgment of justices of the peace, and may issue execution therefor.

Sec. 9. Such judge shall, when proceedings in any appeal under this act are closed, return all papers connected with the case to the town clerk of Manchester, to be recorded in the land records of said town and kept by him on file.

Sec. 10. The selectmen of the Town of Manchester shall have power, whenever they deem it for the public good, to designate and establish building lines on the land of proprietors adjoining any highway within said town between which line and such highway no building or part of building, or appurtenances thereof, shall thereafter be set up or erected, and to alter building lines so established; provided, that the aggregate damages payable in consequence of the establishment or alteration of a building line under the provisions hereof shall not exceed the aggregate special benefits assessed hereunder upon the property benefitted thereby.

Sec. 11. Before establishing or altering any building line, and before making any appraisal of damages or assessment of benefits therefor, a public hearing shall be given by the selectmen to all parties in interest, and notice of the time and place of such hearing shall be given by the selectmen by causing a copy of the proposed order designating and establishing or altering any building line, together with a notice of the time and place of hearing thereon, to be filed in the town clerk's office in said Manchester and published at least twice in a newspaper published in said town, at least five days before the day of hearing, and by depositing a like copy in any post office in said town, postage paid, directed to the person or persons interested at his or their last known post office address.

Sec. 12. After such hearing, the selectmen may establish or alter the building line in accordance with such proposed order, or may modify the line as proposed in such order and establish the modified line, and shall appraise all

damages therefor to the persons entitled to such damage, and shall assess upon the parties whose land is specially benefitted by the establishment or alteration of such line betterments or benefits therefor in proportion to the actual damages and special benefits to each respectively, and shall, within ten days after establishing such line, appraising damages and assessing benefits therefor, cause the order establishing such line to be filed for record in the town clerk's office of said Manchester, together with a certificate signed by them, setting forth the damages appraised and benefits assessed on account threof, and shall also, within ten days, cause such order and certificate to be published at least once in a newspaper published in said Town of Manchester, and a copy thereof to be sent by registered letter, postage prepaid, to all persons in whose favor damages are appraised or against whose land benefits are assessed.

Sec. 13. Any person aggrieved by such appraisal of damages or assessment of benefits, or both, may, within ten days after such order and certificate are filed in the town clerk's office and such notice given, appeal from such appraisal of damages or assessment of benefits, or both, to a judge of the court of common pleas for Hartford county, and such judge shall hear and determine such appeal. Such appeal shall be by petition in writing, setting forth the whole of such appraisal and assessment appealed from, asking for a reappraisal of damages and reassessment of benefits, or for a reassessment of benefits only, with a citation attached thereto, signed by any authority authorized to sign writs, and returnable before such judge at the same time and served and returned in the same manner as is required in case of a summons in a civil action returnable before said court. Service of said citation shall be upon the town clerk.

Sec. 14. Such appeal may be heard by such judge, but may, upon the motion of any party therein, be referred for a hearing to a committee to be appointed by such judge, which shall report to him the facts and its findings thereon.

Sec. 15. If, after the hearing of any appeal, such judge shall find cause to alter such appraisal of damages or assessment of benefits, then such judge may alter the damages appraised in favor of any or all persons damaged, and may alter the assessment of benefits upon the persons whose lands are specially benefitted.

Sec. 16. If the party or committee hearing such appeal shall be of opinion that persons other than those who appear

upon the record are interested in the subject-matter of such appeal, such judge or committee shall cause notice to be given of the pendency of such proceedings to such other persons, and in such manner as such judge or committee may direct, to appear and be heard thereon. Such judge shall have all necessary power for the purpose of disposing of such appeal, and may render judgment thereon, and may tax costs in favor of any party, and may issue execution therefor.

Sec. 17. Such judge shall, when the proceedings in any such appeal are closed, return all papers connected with the case to the town clerk of Manchester to be recorded in said town and kept by him on file.

Sec. 18. Such benefits as finally determined shall be a lien upon the land on account of which they were assessed, which lien shall begin and attach to said land from the time of filing the order and certificate of the selectmen with the town clerk as required in section twelve of this act; provided, that the same shall not remain a lien thereon for more than six months thereafter, provided no appeals are taken therefrom, and when any appeal is taken, then for not more than six months from the time when the papers in such appeal proceedings are returned to the town clerk, as provided in section seventeen of this act, unless said selectmen shall file with the town clerk of said Manchester a certificate signed by them describing the premises assessed, the amount assessed, and the work for which the assessment was made, and the town clerk shall record such certificate in the land records of said town.

Sec. 19. Such liens may be foreclosed in the name of the Town of Manchester in the manner provided by law for the foreclosure of mortgages, and the court having jurisdiction may limit a time for redemption, or order the sale of the property, or pass such other order or decree as it shall deem proper; or the town may, at its option, maintain a civil action in its name against the person against whom the assessment has been laid to recover the amount of said assessment, together with the costs of certificate, recording, and interest at the rate of seven per centum per annum.

Sec. 20. All assessments shall be due and payable within fifteen days after the order and certificates required in section twelve of this act are filed with the town clerk, provided no appeal is taken, and when an appeal is taken, then within fifteen days after the papers in such appeal are

returned to the town clerk as provided in section seventeen of this act, and all assessments remaining unpaid after they become due and payable as herein provided shall draw interest at the rate of seven per centum per annum.

Sec. 21. The Town of Manchester may adopt by-laws providing suitable penalties for encroachment upon or non-observance of any building lines legally established.

Sec. 22. The board of selectmen of Manchester shall exercise all the powers and duties conferred by the general statutes on the wardens and burgesses of boroughs or the mayor and common council of cities for the regulation of the sale of milk.

Sec. 23. The board of selectmen of Manchester shall exercise all the powers and perform all the duties of plumbing inspectors, and shall enforce all by-laws of the town, and shall have power to make orders and rules in regard to plumbing and drainage.

Sec. 24. The board of selectmen of Manchester shall hereafter exercise all the powers granted to the common councils of cities under section 2610 of the general statutes.

Sec. 25. Section twenty of an act concerning the nomination of candidates for public office, and the number, powers, and duties of town officers in the Town of Manchester, approved June 27, 1907, is hereby amended to read as follows: Said board shall appoint, and may remove for cause, a superintendent of roads and bridges, a superintendent of parks, and a superintendent of charities, which superintendent of charities shall, subject to and concurrent with said board, have the powers and perform the duties of selectmen in relation to town and state paupers, aliens, indigent persons, outside poor, insane persons, dependent children, soldiers, sailors, and other persons entitled to state aid, including burial expenses therefor provided by law, and any other duties which said board may legally do, as it may assign him. None of such superintendents shall be a member of said board of selectmen. Said board may fix the compensation of said officers and may also employ a clerk and fix a reasonable compensation for his services. The town clerk shall be eligible for appointment as such clerk.

Sec. 26. Any meeting called for the purpose of considering the question of the adoption of this act shall be a special meeting, and shall be holden in the town hall in said Town of Manchester, and shall be warned by advertisement

published in some newspaper or newspapers published in said town and set upon the public sign-post in said town, signed by the board of selectmen of said Manchester, or a majority of them, and by depositing a copy thereof with the registrars of voters of said town, at least fifteen days before the date of said meeting; and said registrars shall thereupon prepare, for use at said meeting, a list of the legally qualified electors and voters of said town at the time of the completion of the last revised registry list of the said town. Said special meeting shall be opened at nine o'clock in the forenoon and closed at eight o'clock at night. Said registrars shall prepare a ballot box for use at said meeting which shall be open during the hours hereinbefore named; they shall also appoint the moderators, checkers and counters for the taking of the votes at said meeting, which votes shall be only upon the question of the adoption of this act, and shall be taken by ballot enclosed in an envelope and cast with the same formalities and under the same requirements as now provided by law for ballots for town officers at town elections. The ballot to be used at said meeting shall be of plain white paper, four inches long and two inches wide, and shall bear the word "Yes" or the word "No" thereon; those in favor of the ratification and adoption of this act shall vote "Yes" and those opposed to the ratification and adoption of this act shall vote "No." The envelopes used at said meeting shall be provided by the town clerk of the Town of Manchester and shall be of heavy manila paper, and shall bear the seal of the state of Connecticut printed thereon. After the counting of said votes the result shall be declared by the moderator in open meeting and before any adjournment thereof. If said meeting shall vote to adopt this act it shall take effect immediately. If said meeting shall vote to reject this act, any meeting or meetings for the further consideration thereof may be held, under the same conditions as to call and conduct, at any time before the convening of the next general assembly.

Approved, July 14, 1909.

Act rejected by town Nov. 2, 1909, and July 26, 1910.

(House Bill No. 1049)

(44)

An Act Amending an Act Concerning the Nomination of Candidates for Public Office, and the Number, Powers, and Duties of Town Officers in the Town of Manchester.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section seven of an act concerning the nomination of candidates for public office, and the number, powers, and duties of town officers in the Town of Manchester, approved June 28, 1907, is hereby amended by adding after the word "nominated," in line fourteen, the words "and beneath the name of each office shall be printed the words 'you may vote for ' to be followed by the number required to be nominated for such office."

Sec. 2. Section sixteen of said act is hereby amended in line one by adding, after the word "shall," the words "meet on the first Tuesday after the first Monday of October in each year at not later than two o'clock in the afternoon and shall qualify and."

Sec. 3. Section fifteen of said act is hereby amended by adding in line five, after the word "selectmen," the words "including the powers and duties conferred on first selectman of towns by statute."

Sec. 4. Section seven of said act is hereby amended to read as follows: On or before the Monday next preceding said Tuesday of September the town clerk shall cause to be prepared and printed as many ballots of each political party as there are electors registered on the enrollment list of said party, each ballot to contain the list of all proposed candidates for nomination by said party for each office, arranged in alphabetical order, in accordance with the proposals for nominations filed with said town clerk as aforesaid, by said electors or said town committee, and at the left of each name proposed for nomination there shall be printed a hollow square not less than one-fourth of an inch in width. Said ballot shall be endorsed with the words "Official Ballot" and shall be printed with a numbered stub, and when voted shall be so folded that the entire face of the ballot shall be concealed, and the stub shall be torn off at the time of voting, without exposing any part of face of the ballot. The name of the political party shall be printed at the top of the ballot of each political party. The names of the candidates proposed for each office shall be printed on said ballot under the name of the office for which they are proposed to be nominated. The ballots for the several political parties shall be of uniform size and shall be printed on plain white paper. Said town clerk shall deliver the ballots of each

political party to the moderator of said nominating caucus at the opening of such caucus and shall provide the voting booths to be used at said caucus with a sufficient supply of lead pencils. Said nominating caucus shall be held in the town hall in said town, annually, on the third Tuesday of September, and the voting booths therein shall be open at nine o'clock in the morning and shall remain open until eight o'clock at night of said day, and no longer. The registrars shall appoint one moderator, voting booth tenders, ticket distributors, checkers, and counters for said nominating caucus, and shall provide at least as many ballot boxes for said caucus as there are political parties voting at said meeting. Each ballot box shall be plainly marked with only the name of one political party. The voting list of said nominating caucus shall be the enrollment lists of the several political parties, two copies of which list shall be furnished by the registrars of voters to the chairman of each town committee of the respective parties at least six days before said nominating caucus is held. At least one week before said nominating caucus the town clerk shall cause to be printed for general distribution sample ballots printed on pink paper equal to at least fifty per centum of the number of official ballots printed. Any person illegally having in his possession outside said voting booths an official ballot shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than one hundred dollars or imprisoned not more than six months, or both.

Sec. 5. At the annual town meeting held next after the acceptance of his act and at all regular and special town meetings thereafter for the purpose of electing officers voted for at such elections, the ballots used shall be printed by the secretary of the state at the expense of the town. Said ballots shall be printed with numbered stubs and shall contain the names of candidates for every office, arranged under the designation of the office in alphabetical order according to their surnames; but the names of candidates for the same office but for different terms of service therein shall be arranged in groups according to the length of their respective terms. Blank spaces shall be left at the end of the list of candidates for each different office, equal to the number to be elected thereto, in which the voter may insert the name of any person not printed on the ballot for whom he desires to vote for such office. At the right of the name of each candidate shall be printed the name of the political

party which he represents. Upon the ballots may be printed such directions as will aid the voters, for example, "Vote for one," "Vote for two," and the like. At the left of the name of each candidate shall be printed a hollow square not less than one-fourth inch in width. On the stubs of said ballots shall be printed the words "Place a cross mark X in the square to the left of the name of each candidate for whom you wish to vote."

Sec. 6. On the first Tuesday after the first Monday of October next after the acceptance of this act and annually thereafter the board of selectmen of the Town of Manchester shall appoint six grand jurors to hold office for the term of one year and until their successors are appointed and qualified.

Sec. 7. On the first Tuesday after the first Monday of October next after the acceptance of this act and annually thereafter the board of selectmen of the Town of Manchester shall appoint two directors of the public library, to hold office for the term of three years and until their successors are appointed and qualified.

Sec. 8. On the first Tuesday after the first Monday of October next after the acceptance of this act and annually thereafter the board of selectmen of the Town of Manchester shall appoint some person, other than the town clerk or town treasurer, agent of the town deposit fund for the term of one year and until his successor is appointed and qualified.

Sec. 9. The selectmen of the Town of Manchester shall have power, whenever they deem it for the public good, to designate and establish building lines on the land of proprietors adjoining any highway within said town between which line and such highway no building or part of building, or appurtenances thereof, shall thereafter be set or erected, and to alter building lines so established; provided the aggregate of damages payable in consequence of the establishment or alteration of a building line shall not exceed the aggregate special benefits assessed hereunder upon the property benefitted thereby. Before estabishing or altering any building line, and before making any appraisal of damages or assessment of benefits therefor, a public hearing shall be given by the selectmen to all parties in interest, and notice of the time and place of such hearing shall be given by the selectmen by causing a copy of the proposed order designating

and establishing or altering any building line together with a notice of the time and place of hearing thereon to be filed in the town clerk's office in said Manchester and published at least twice in a newspaper printed in said town, at least five days before the day of hearing, and by depositing a copy in any post office in said town, postage paid, directed to the person or persons interested at his or their last known address. After such hearing, the selectmen may establish or alter the building line in accordance with such proposed order, or may modify the line as proposed in such order and establish the modified line, and shall appraise all damages therefor to the persons entitled to such damages, and shall assess upon the parties whose land is specially benefitted by the establishment or alteration of such line betterments or benefits therefor in proportion to the actual damages and special benefits to each respectively, and shall, within ten days after establishing such line, appraising damages and assessing benefits therefor, cause the order establishing such line to be filed for record in the town clerk's office of said Manchester, together with a certificate signed by them, setting forth the damages appraised and benefits assessed on account thereof, and shall also, within ten days, cause such order and certificate to be published at least once in a newspaper printed in said Town of Manchester, and a copy thereof to be sent by registered letter, postage paid, to all persons in whose favor damages are appraised or against whose land benefits are assessed. Any person aggrieved by such appraisal of damages or assessment of benefits or both, may within ten days after such order and certificate are filed in the town clerk's office and such notice given, appeal from such appraisal of damages or assessment of benefits or both, to a judge of the court of common pleas for Hartford county, and such judge shall hear and determine such appeal. Such appeal shall be by petition in writing, setting forth the whole of such appraisal and assessment appealed from, asking for a reappraisal of damages and reassessment of benefits, or for a reassessment of benefits only, with a citation attached thereto, signed by any authority empowered to sign writs, and returnable before such judge at the same time and served and returned in the same manner as in case of a summons in a civil action returnable before said court. Service of said citation shall be upon the town clerk. Such appeal may be heard by such judge, but may, upon the motion of any party thereto, be referred for

a hearing to a committee appointed by such judge, which shall report to him the facts and their findings thereon. If, after the hearing of any appeal, such judge shall find cause to alter such appraisal of damages or assessment of benefits, he may alter the damages appraised in favor of any persons damaged, and the assessment of benefits upon the persons whose lands are specially benefitted. If the party or committee hearing such appeal shall be of the opinion that persons other than those who appear upon the record are interested in such appeal, such judge or committee shall cause notice to be given of the pendency of such proceedings to such other persons, in such manner as such judge or committee may direct. Such judge shall have all necessary power for the purpose of disposing of such appeal and may render judgment thereon and may tax costs in favor of any party and may issue execution therefor. Such judge shall, when the proceedings in any such appeal are closed, return all papers connected with the case to the town clerk of Manchester to be recorded in said town and kept by him on file. Such benefits as finally determined shall be a lien upon the land on which they were assessed, which lien shall attach to said land from the time of filing the order and certificate of the selectmen with the town clerk, provided the same shall not remain a lien thereon for more than six months thereafter, unless appeals are taken therefrom, and when any appeal is taken, then for not more than six months from the time when the papers in such appeal proceedings are returned to the town clerk, unless said selectmen shall file with the town clerk of said Manchester a certificate signed by them describing the premises assessed, the amount assessed, and the work for which the assessment was made, and the town clerk shall record such certificate in the land records of said own. Such liens may be foreclosed in the name of the Town of Manchester in the manner provided by law for the foreclosure of mortgages, and the court having jurisdiction may limit a time for redemption, or order the sale of the property, or pass such other order or decree as it shall deem proper; or the town may, at its option, maintain a civil action against the person assessed, to recover the amount of the assessment, together with the costs of certificate, recording, and interest at the rate of seven per centum per annum. All assessments shall be due and payable within fifteen days after the order and certificate are filed with the town clerk, provided no appeal is taken,

and when an appeal is taken, then within fifteen days after the papers in such appeal are returned to the town clerk, and all assessments remaining unpaid after they become due and payable shall draw interest at the rate of seven per centum per annum. The Town of Manchester may adopt by-laws providing suitable penalties for encroachment upon or non-observance of any building lines so established.

Sec. 10. Whenever the selectmen shall require by written order that the sidewalks be cleared of ice or snow, and owners of the adjacent property fail, neglect or refuse to clear the same within the time and in the manner required by said order, any selectman or other proper officer shall cause such ice or snow to be removed, and the cost of removal shall be assessed against the adjoining property and such assessment shall be and remain a lien upon said property, and be collected in the same manner as taxes. Any such order shall continue in force until further action by said selectmen.

Sec. 11. The ballots cast by any nominating caucus shall, immediately after they have been counted, be returned by the moderator to their respective boxes, which shall be sealed and deposited by him in the town clerk's office, so that the same cannot be opened without the knowledge of said moderator. The town clerk shall carefully preserve the same, with the seal unbroken, for seventy-two hours after such caucus, to be opened and the ballots examined only as hereinafter provided. At the expiration of said time said ballots shall be destroyed by the town clerk. Any candidate for any office at said nominating caucus may have the votes for the office for which he was a candidate recounted by giving a notice in writing to the town clerk asking for such a recount not later than five o'clock in the afternoon of the day following said nominating caucus. The town clerk shall forthwith notify the moderator of said nominating caucus of such request and said moderator shall cause the votes for such office to be recounted by two disinterested electors at two o'clock in the afternoon of the second day following said nominating caucus and the person certified by said counters and said moderator to have received the greatest number of votes for said office shall be the nominee for such office. The expense of such recount shall be borne by the person or persons requesting the same, if unsuccessful, otherwise by the Town of Manchester.

Sec. 12. The Town of Manchester is hereby authorized to drain by storm water sewers and other drains all highways within said town, and may take any private land which it may deem necessary or convenient for such purposes. When the owner of land adjoining a public highway or of any interest in any land taken for a storm water sewer or other drain of said highway or of any interest in any land drained by said storm water sewer, shall sustain special damage or shall receive special benefits to his property by the reason of taking of such land, and the construction of such storm water sewer or drain in said highway or through said land, said town shall be liable to pay such owner the amount of such special damage or shall be entitled to receive from such owner the amount of such special benefits, to be ascertained in the manner provided in the case of laying out or altering highways. Whenever special benefits shall be assessed and established, concerning any land or interest therein, said town shall have a lien upon the lands concerning or upon which they are so assessed, to be established and enforced in the manner provided for establishing and enforcing liens for benefits occasioned by public works in said town. Said town may also construct, repair, and maintain all crosswalks over and across the highways of said town.

Sec. 13. The Town of Manchester is hereby authorized to purchase, sell, receive, accept, lease, and convey any estate, real, personal, or mixed, necessary or incidental to its purposes, including gifts, bequests, and devises; and invest and reinvest the proceeds and income of any such property. All gifts and conveyances of property heretofore made to said town are hereby confirmed and validated.

Sec. 14. The selectmen of Manchester shall annually appoint a board of health and fix the number and compensation of the members; said board of health is, to the exclusion of officers appointed by the county health officer, hereby vested with the exercise of all jurisdiction, powers, privileges, and duties now by law vested in and imposed upon town health officers. Said board of health may, from time to time, make such by-laws, rules, regulations, and orders as in its judgment the preservation of the public health shall require. Said board shall cause to be exercised and enforced such by-laws, rules, regulations, and orders, and generally do and cause to be done whatever is prescribed by the by-laws of said town to preserve health. Said board of health

shall exercise all the powers and duties conferred on the wardens and burgesses of boroughs, or the mayor and comomn council of cities, for the regulation of the sale of milk. Said board of health shall exercise all the powers and perform all the duties of plumbing inspectors and shall enforce all by-laws of the town and all orders and rules of the selectmen in regard to plumbing and drainage.

Sec. 15. The chief of police of the Town of Manchester shall exercise and perform all the powers and duties conferred upon the chiefs of police of cities.

Sec. 16. The Town of Manchester may use voting machines at said nominating caucus as provided by law relating to the use of voting machines.

Sec. 17. The selectmen of Manchester shall hereafter exercise all the powers granted to the common councils of cities under section 2610 of the general statutes

Sec. 18. The Town of Manchester may adopt the provisions of chapter 241 of the public acts of 1911 at any town meeting duly warned and held for that purpose.

Sec. 19. The selectmen of the Town of Manchester may construct, maintain, and repair curbs and sidewalks upon any highway at the expense of said town. Said selectmen shall not expend in any year a greater sum for sidewalks than shall be appropriated by the town for that purpose.

Sec. 20. Section eighteen of this act shall take effect from its passage.

Sec. 21. No section of this act, except section eighteen, shall take effect until it shall have been approved by the voters of the town at a meeting duly warned and held for that purpose. At said meeting the polls shall be open from nine o'clock in the morning until eight o'clock at night. The registrars of voters shall prepare a ballot box for use at said meeting. They shall also appoint the moderator, checkers, and counters for the taking of the votes at said meeting, which votes shall only be upon the adoption of this act, section by section, as hereinafter provided, and shall be taken by ballot enclosed in an envelope and cast with the same formalities and under the same requirements as now provided by law for ballots for town officers. The ballots to be used at said meeting shall be of plain white paper four inches in width. The questions to be voted upon at said meeting shall be numbered as the sections of this act are numbered. The matter to be voted upon in each section shall be described upon said ballots in a printed statement

not to exceed thirty words. At the left of each section shall be printed two hollow squares, each not less than one-fourth of an inch in width. Above one square shall be printed the word "Yes" and above the other square the word "No." Those in favor of the ratification of any section of this act shall place a crossmark X in the square to the left of such section and beneath the word "Yes." Those opposed to the ratification of any section of this act shall place a crossmark X in the square to the left of such section and beneath the word "No." The envelopes used at said meeting shall be provided by the town clerk of said town and shall be of heavy manila paper, and shall bear the seal of the state of Connecticut printed thereon. After the counting of said votes, section by section, the result as to each section shall be declared by the moderator in open meeting and before any adjournment. If said meeting shall vote to adopt any section of this act, it shall take effect immediately. If said meeting shall vote to reject any section of this act, any meeting for the further consideration of such rejected sections may be held, under the same conditions as to call and conduct, at any time before the convening of the next general assembly.

Approved, April 9, 1913.

Act adopted by town, in part, May, 1913.

(House Bill No. 109)

(185)

An Act Amending an Act Concerning the Nomination of Candidates for Public Office, and the Numbers, Powers, and Duties of Town Officers in the Town of Manchester.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section four of an act amending an act concerning the nomination of candidates for public office, and the number, powers, and duties of the town officers in the Town of Manchester, approved March 9, 1913, is hereby amended to read as follows: On or before the Monday next preceding said third Tuesday of September the town clerk shall cause to be prepared and printed as many ballots of each political party as there are electors registered on the enrollment list of said party, each ballot to contain the list of all proposed candidates for nomination by said party for each office, arranged in alphabetical order in accordance with

the proposals for nominations filed with said town clerk as aforesaid, by said electors or said town committee, and at the left of each name proposed for nomination there shall be printed a hollow square not less than one-fourth of an inch in width. Said ballot shall be endorsed with the words "Official Ballot" and shall be printed with a numbered stub, and when voted shall be so folded that the entire face of the ballot shall be concealed, and the stub shall be torn off at the time of voting, without exposing any part of the ballot. The name of the political party shall be printed at the top of the ballot of each political party, respectively. The names of the candidates proposed for each office shall be printed on said ballot under the name of the office for which they are proposed to be nominated and beneath the name of each office shall be printed the words "You may vote for " to be followed by the number required to be nominated for such office. The ballots for the several political parties shall be of uniform size and shall be printed on plain white paper. Said town clerk shall deliver the ballots of each political party to the moderator of said nominating caucus at the opening of such caucus and shall provide the voting booths to be used at said caucus with a sufficient supply of lead pencils. Said nominating caucus shall be held in the town hall in said town, annually, on the third Tuesday of September, and the voting booths therein shall be open at nine o'clock in the morning and shall remain open until eight o'clock at night of said day, and no longer. The registrars shall appoint one moderator, voting booth tenders, ticket distributors, checkers, and counters for said nominating caucus, and shall provide at least as many ballot boxes for said caucus as there are political parties voting at said meeting. Each ballot box shall be plainly marked with only the name of one political party. The voting list of said nominating caucus shall be the enrollment lists of the several political parties, two copies of which list shall be furnished by the registrars of voters to the chairman of each town committee of the respective parties at least six days before said nominating caucus is held. At least one week before said nominating caucus the town clerk shall cause to be printed for general distribution sample ballots printed on pink paper equal to at least fifty per centum of the number of official ballots printed. Any person illegally having in his possession outside said voting booths an official ballot shall be guilty of a misdemeanor and upon conviction thereof

shall be fined not more than one hundred dollars, or imprisoned not more than six months, or both.

Sec. 2. Section nineteen of said act is hereby amended to read as follows: Whenever the selectmen of the Town of Manchester, upon petition or otherwise, after due notice and hearing, shall find that public necessity and convenience require the construction of a sidewalk and curb upon any highway of said town, or the repairs of any sidewalk or curb in said town, they may order the construction of such sidewalk and curb, or such repairs, as the case may be, and cause the same to be completed; and in such order, in addition to finding public necessity and convenience therefor, they shall specify the materials, dimensions, location, and grade of such constructon or repairs, and on such construction or repairs being completed, said town shall have a lien upon the land in front of which such sidewalk and curbs are constructed, or such repairs are made, for two-thirds of the cost of such construction, or such repairs, as the case may be, and said lien may be recorded and fore closed in the same manner as tax liens. Notice of the time and place of meeting of such selectmen, and of all orders made by them under this act, may be given to the parties interested, if they are residents of the state, personally, or by leaving written notice at their respective places of abode, or by depositing in the post office, postage paid, notices addressed to them respectively; or if they are non-residents by like notice to the person having charge of the land. Every order passed by said selectmen pursuant to the provisions of this act shall be filed with the town clerk of said town, and unless appealed from shall be recorded in the land records of said town. Any person aggrieved by any such order may, within ten days after the filing of such order, appeal therefrom to a judge of the court of common pleas for Hartford county, and such judge shall hear and determine such appeal. Such appeal shall be by a petition in writing, setting forth the order appealed from, asking for a rehearing of said order, with a citation attached thereto, signed by any authority authorized to sign writs, and returnable before such judge at the same time and served and returned in the same manner as is required in case of a summons in a civil action returnable before said court. Service of said citation shall be upon the town clerk of said town. Such appeal may be heard by such judge, or upon the motion of any party interested therein, may be referred for a hearing to a committee to be appointed

by such judge, to report to him the facts and their conclusions thereon. If, after the hearing upon the appeal from any order, such judge shall find cause to alter the same, then such judge may alter the order, having first caused notice to be given to all parties affected by any such alteration, and having given an opportunity to be heard regarding the same, as provided herein. If the judge or committee hearing such appeal shall be of the opinion that persons other than those who appear of record are interested in the subject-matter of such appeal, such judge or committee shall cause notice to be given to such other persons, in such manner as such judge or committee may direct, to appear and be heard thereon. Such judge shall have all necessary power for the purpose of disposing of such appeal, and may render judgment therein, and may tax costs in his discretion in favor of any party as is now allowed by law in cases of appeals from judgments of justices of the peace, and may issue execution therefor. Such judge shall, when proceedings in any appeal under this act are closed, return all papers connected with the case to the town clerk of Manchester, to be recorded in the land records of said town and kept by him on file.

Sec. 3. Section one of said act is hereby repealed.

Sec 4. Section nineteen of said act as hereby amended shall not take effect until it shall have been approved by the voters of said town at a meeting duly warned and held for that purpose. At that meeting the polls shall be open from nine o'clock in the morning until eight o'clock at night. The registrars of voters shall prepare a ballot box for use at said meeting. They shall also appoint the moderator, checkers, and counters for the taking of the votes at said meeting, which votes shall only be upon the adoption or rejection of section nineteen as hereby amended, and shall be taken by ballot enclosed in an envelope and cast with the same formalities and under the same requirements as now provided by law for ballots for town officers. The ballots to be used at said meeting shall be four inches long and two inches wide and shall be of plain white paper and shall bear the word "Yes" or the word "No" thereon; those in favor of the ratification and adoption of said section nineteen shall vote "Yes" and those opposed to the ratification and adoption of said section shall vote "No." The envelopes at said meeting shall be provided by the town clerk of said town and shall be of heavy manila paper, and shall bear the seal of the state of Connecticut printed thereon. After the counting of said

votes the result shall be declared by the moderator in open meeting and before any adjournment. If said meeting shall vote to adopt said section nineteen it shall take effect immediately. If said meeting shall vote to reject said section nineteen, any meeting for the further consideration of said section may be held, under the same conditions as to call and conduct, at any time before the convening of the next general assembly.

Approved, May 14, 1913.

Act adopted by town, June 12, 1913.

(Substitue for House Bill No. 929)

(356)

An Act Amending an Act Concerning the Nomination of Candidates for Public Office and the Number, Powers, and Duties of the Town Officers in the Town of Manchester.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section fifteen of an act concerning the nomination of candidates for public office and the number, powers, and duties of town officers in the town of Manchester, approved June 28, 1907, as amended by section three of an act amending an act approved April 9, 1913, is hereby amended to read as follows: There shall be elected annually in the town of Manchester, on the first Monday of October, a board of selectmen consisting of seven members. Said board shall have all the powers of selectmen of towns, the powers and duties conferred by the provisions of the general statutes upon the first selectmen of towns, and such additional powers as are granted by the provisions of this act. The office of first selectman in the town of Manchester is hereby abolished. At any annual election each elector may vote for seven selectmen.

Sec. 2. On the first Tuesday after the first Monday of October after the acceptance of this act and annually thereafter, the board of selectmen of said town shall appoint a cemetery committee consisting of three persons for each of the cemeteries of said town. Each member of said committee shall hold office for the term of one year and until his successor is appointed and qualified.

Sec. 3. On the first Tuesday after the first Monday of October after the acceptance of this act, said board shall appoint members of a board of relief who shall be electors of the town of Manchester, one to hold office for a term of one year, one for a term of two years, and one for a term of three years, and an-

nually thereafter, said board shall appoint one member of the board of relief to hold office for a term of three years from the date of his appointment and until his successor is appointed and qualified. Any vacancy in the membership of the board of relief shall be filled by the selectmen for the unexpired portion of the term. The compensation of the members of the board of relief shall be fixed by the board of selectmen.

Sec. 4. The sealer of weights and measures shall perform his duties subject to the approval of the board of selectmen and shall receive such compensation as said board may determine.

Sec. 5. Said town is authorized to appropriate money to be expended by the board of selectmen for the following purposes: To manufacture, buy, house, and sell ice, and harvest, buy, house, and sell ice from any pond or reservoir controlled by said town, provided the methods employed in the conduct of such business shall be approved by the board of health of said town. Rules for the conduct of such business shall be established by the board of selectmen, with the approval of said town at a town meeting warned and held for such purpose, prior to procuring any ice, provided the price at which the same may be sold shall be fixed by the board of selectmen and shall be at such amount as will reimburse said town for all expenses incident to the manufacture or harvesting, and distributing the same, including any charge for interest on money invested in such business; depreciation of all machinery, buildings, and equipment; renewals; and incidental expenses.

Sec. 6. Upon petition of not less than one hundred electors of said town filed with a member of the board of selectmen before final action upon any question submitted or to be submitted at any town meeting, except the laying of the annual tax, the selectmen shall, and of their own volition may, submit any such question at any town meeting for discussion only. The vote on any question so submitted shall be taken at a subsequent meeting, the date of which may be designated on the petition to the selectmen. Such vote shall be taken by ballot, or by use of voting machines, as the selectmen may determine, in the manner prescribed by the general statutes for the conduct of town elections.

Sec. 7. In case of any conflict of authority between the Town of Manchester and any district incorporated within the limits of the said town, the authority of said town shall prevail.

Sec. 8. The secretary of the board of selectmen is authorized to sign all notices and records required to be signed by the board of selectmen, except orders for the payment of money.

Sec. 9. The board of selectmen shall cause all notes of the town to be certified by a bank or trust company.

Sec. 10. At town elections the polls shall be open at eight o'clock in the forenoon and shall close at eight o'clock in the afternoon.

Sec. 11. Section five of an act amending an act concerning the nomination of candidates for office and the number, powers, and duties of town officers in the Town of Manchester approved April 9, 1913, is hereby repealed.

Sec. 12. Section eighteen of said act approved June 28, 1907, is hereby amended to read as follows: Whenever a town meeting shall be called for any purpose, the board of selectmen shall investigate the matters to be brought before such meeting and shall recommend such action as the interests of said town shall require. In the annual report of said town, said board shall make an estimate of the amount of money required for the conduct of each department for the year ensuing and shall recommend specific appropriations therefor.

Sec. 13. The auditors shall audit the accounts of all officials of the town, and of all persons required to account to the town for the receipt or expenditure of moneys, at least once in each six months. Each auditor shall receive five dollars per day while engaged in performing the duties of his office.

Sec. 14. No person, firm, or corporation shall commence the erection of any building or continue the erection of any building within the limits of the Eighth school district or the South Manchester fire district without having received a building permit from the building inspector. Any person or firm, or the agent of any corporation, who shall violate any provision of this act shall be fined not more than five dollars, and each day's continuance of any building or part thereof erected without having obtained such permit shall constitute a separate offense.

Sec. 15. No person, firm, or corporation shall install any electric fixture, light, or switch in any building situated in the Eighth school district or the South Manchester fire district without permission of the building inspector. Any person who shall violate any provision of this section shall be fined not more than five dollars. Each day's use of such fixture, light, or switch installed in violation of the provisions of this act shall constitute a separate offense.

Sec. 16. Section twenty-four of said act approved June 28, 1907, is hereby amended to read as follows: The compensation of the members of the board of selectmen shall be as follows: The chairman and the secretary shall be paid each two hundred dollars per year, each of the other members of said board shall receive one hundred dollars per year, which amounts shall be in

full compensation for services rendered, provided the compensation for selectmen, as fixed by the provisions of this section, shall take effect at the expiration of the terms of the selectmen in office in said town at the time of the passage of this act.

Sec. 17. Section fourteen of said act approved April 9, 1913, is hereby amended by adding thereto the following: "The board of health may compel the owners of property abutting any street or highway in which a public sewer is laid to connect any building on such property with such sewer. The order requiring the owner of any building to connect the same with such sewer shall be served upon such owner by leaving at his usual place of abode a true and attested copy thereof, if he be a resident of said town, otherwise service thereof shall be made by leaving a true and attested copy with the agent of such owner, or person having charge of such premises, or by mailing such copy by registered mail to the last known address of such owner or agent. If such owner shall fail to connect such building with such sewer within the time limited by such order, he shall be fined not more than one hundred dollars. All pipes or drains within any highway through which sewage passes shall be a public sewer within the meaning of the provisions of this act."

Sec. 18. Section twenty-two of said act approved June 28, 1907, is hereby amended by adding thereto the following: "Except that said town is authorized to establish a by-law designating the time and manner of paying the employees of the town employeed under the authority of the selectmen and who receive a daily or weekly compensation, the police, and the teachers in the public schools of said town."

Sec. 19. Section fourteen of said act approved June 28, 1907, is hereby ammended to read as follows: On the first Tuesday after the first Monday of October after the acceptance of this act, the board of selectmen shall appoint a board of police commissioners who shall be electors of said town as follows. One for a term of one year, one for a term of two years, and one for a term of three years, and annually thereafter on the first Tuesday after the first Monday of October said board shall appoint one member to hold office for a term of three years and until his successor is appointed and qualified. Any vacancy shall be filled by appointment of the board of selectmen for the unexpired portion of the term. Said commissioners shall serve without compensation. The board of police commissioners shall have direction of all policemen of said town and may exercise all powers previously vested in the board of selectmen in relation to the police. Charges against policemen of said town shall be

made only to the board of police commissioners who are authorized to dismiss any policeman.

Sec. 20. Section nineteen of said act approved June 28, 1907, as amended by an act approved May 14, 1913, is hereby amended to read as follows: When the selectmen of said town, upon petition or otherwise, after reasonable notice in writing to the owners of property adjacent to any highway, served personally or by registered mail by any officer or indifferent person authorized by the selectmen, designating a time when and place where a hearing will be had, shall find that public interest and convenience require the construction of a sidewalk or curb, or both, upon either or both sides of any highway, or the repair of any sidewalk or curb, or both, they may construct such walk, curb, or both, or make such repairs as may be necessary. In such finding they shall specify the materials, dimensions, location, and grade of any walk or curb to be laid, and upon completion thereof they shall give notice to the owners of property abutting such walk, of a time and place where they will meet for the purpose of assessing two-thirds of the cost thereof upon the property adjacent to such walk or curb. Such notice shall be by publication in a newspaper at least five days prior to the date of such hearing, in said town, if any there be, otherwise in a daily newspaper published in the city of Hartford and having a substantial circulation in said town of Manchester. Any abutting land owner may appear at such hearing and show cause, if any he has, why such assessment should not be made. After such hearing, two-thirds of the amount expended in the construction of such walk, curb, or repairs shall be assessed on the land adjacent to such walk, and the amount of any assessment so made shall be a lien upon the property adjacent thereto, and shall take precedence of all other liens, mortgages, attachments, and encumbrances, tax liens of a prior date excepted, and shall remain a lien upon such property in favor of said town, and payment thereof may be enforced in the name of said town in a civil action or by foreclosure, provided such lien shall not attach to such property for a longer period than two months from the date of such assessment, unless a certificate made and signed by a selectman of said town, thereunto authorized by the board of selectmen, describing the premises, the amount claimed as a lien, the date of the completion of the sidewalk, curbing, or repairs, and the date of the assessment thereof, shall be lodged with the town clerk of said town. Such liens shall bear interest from the date of the assessment at the rate of three-fourths of one per centum per month until paid, and any such lien shall cease to exist when a certificate, signed by the selectmen, that the amount

of such lien, with the interest and costs of recording the same, has been paid to said town, shall be lodged with the town clerk. Any person aggrieved by such assessment or by any order of the board of selectmen in relation to any walk, curb, or repairs, may appeal therefrom to the court of common pleas for Hartford county in the manner and form provided in sections 1956 to 1959, inclusive, of the general statutes, revision of 1902.

Sec. 21. Upon approval of this act by the electors of said town as hereinafter provided, the board of selectmen are authorized to cause to be compiled and published all town acts and amendments thereto from the date of the approval of this act by said town to and including its original resolution of incorporation in 1823, with an index of the same. Said board is authorized to draw its order on the treasurer of said town for such sum as may be necessary to carry out the provisions of this section.

Sec. 22. Section twenty-two of said act approved June 28, 1907, is hereby amended by adding thereto the following: "Said board of selectmen shall locate all public lights within the streets and public places of said town, including unaccepted streets therein."

Sec. 23. The provisions of this act shall take effect upon approval by a majority of the electors of said town at a meeting held for such purpose, except sections twenty and twenty-two which shall take effect from their passage. The polls shall be open at the meeting held for the purpose of approving this act from nine o'clock in the forenoon until eight o'clock in the afternoon. The registrars of voters shall prepare a list of the voters for use at said meeting. They shall appoint a moderator, checkers, and counters for the conduct of said meeting, and a separate vote shall be taken upon each section separately by voting machine. The ballot label shall be printed in black ink and in plain type on clear white material of such size as will fit the voting machine and shall be furnished by the town clerk. Each section shall be described upon the ballot label having reference thereto and there shall be contained thereon the words "Yes" and "No," attached to the levers of the voting machine so that each voter may vote "Yes" or "No" on each section. The section to be voted upon at such meeting shall correspond in numerical order to the sections of this act. Those desiring to vote in favor of any section shall vote ,'Yes" concerning such section and those opposed to any section shall vote "No" concerning such section. The result of the vote upon each section shall be declared by the moderator in open meeting and before adjournment of such

election. If a majority of those voting on any section shall vote "Yes," such section shall thereupon take effect. If a majority of those voting on any section shall vote "No," such rejected section may receive further consideration of the electors at any time before the convening of the January session of the general assembly in 1917, under the same terms and conditions as provided in this act.

Approved May 20, 1915.

Act Adopted by Town August 12, 1915.

(Substitute for House Bill No. 551)

(299)

An Act Incorporating the Eighth School and Utilities District of Manchester.

Be it enacted by the Senate and House of Representatives in General Assembly convened.

Sec. 1. The territory of the Town of Manchester within the limits of the Eighth School District of said town and the inhabitants residing therein are hereby constituted a body politic incorporate by the name of the Eighth School and Utilities District and by that name they and their successors shall have perpetual succession and may sue and be sued, plead and be empleaded, may purchase, take, hold, convey, and lease such estate real or personal as may be necessary or convenient for the use of the District, shall have the powers and privileges of school districts under the law of this State and all the powers possessed by said Eighth School District, shall have the authority to provide a supply of water for fire and other purposes by contract with the Manchester Water Company, may establish and maintain a fire department for the purpose of protecting property within its limits from fire, and at any legal meeting especially warned for that purpose shall have power to form fire companies and to appoint or provide for the appointment of members thereof, officers for the same to provide by purchase, lease or otherwise land and buildings for engine or hose houses, and to provide all necessary apparatus and to keep the same in repair, to defray the necessary expenses of such fire companies as they may organize, and of the department, to make bylaws for the regulation and government of the fire department and companies and for the proper regulation and government of the people when called into service on occasion of fires, for compelling the owners of buildings to procure and maintain ladders for use upon the same, for the regulation and control of deposits of ashes, for ordering the discontinuing of stove-pipes, chimneys and any-

thing considered defective or in danger of causing fire, and may have a common seal which they may change.

Sec. 2. After the first meeting hereinafter provided, all meetings of said corporation shall be held within said district and at such time and place and after giving such notice as is by law provided for school districts. The warning of any meeting pertaining exclusively to school affairs may be signed by the school committee or a majority of them. The warning of all other meetings shall be signed by the president or clerk, or in their absence or inability by a majority of the directors. Any person qualified to vote at school district meetings may be present and vote at meetings of said corporation.

Sec. 3. The officers of said corporation shall be a President, Six Directors, a school committee consisting of three members, a clerk, a treasurer, a collector, and such other officers as said corporation by its by-laws or by vote may provide for or elect. All said officers elected after the first meeting of said corporation except as hereinafter provided shall hold office for the period of one year from the fifteenth day of July next succeeding and until their successors are elected or appointed and qualified. Elections of officers shall be by ballot. A majority of the legal voters present and voting shall elect. At the first meeting of said corporation all officers provided for in this act excepting members of the school committee shall be elected and shall hold office until the annual meeting which shall be held according to the provisions of the General Statutes for the annual meeting of school districts, and until their successors are qualified. At the annual meeting held after the first meeting of said corporation two directors shall be elected to hold their office for three years, two for two years, and two for one year, and until their successors are chosen and qualified. Annually thereafter two directors shall be elected to succeed those whose terms shall expire, to hold office for three years and until others are chosen and qualified in their stead. Special meetings of said corporation shall be called by the President or Clerk when requested so to do in writing by not less than ten of the legal voters in said district and a quorum at any such meeting shall not be less than fifteen legal voters. Special meetings shall be called in manner provided in the by-laws. Special meetings relating to school matters only may be called by the school committee as provided by law for special meetings of school districts. The School Committee existing at the time of the first meeting of said district shall continue in office until the fifteenth day of July next succeeding the annual meeting of said district next following the first meeting.

Sec. 4. The School Committee shall have exclusive control

of all the business, affairs and property of said corporation relating to schools and shall have all of the duties and powers of committees of school districts prescribed by law.

Sec. 5. The records and accounts of all matters pertaining to schools shall be kept separate from such matters as relate to other business of said district.

Sec. 6. The President and directors shall have control of the affairs of said district, matters relating to schools excepted, and power to lay out, construct, maintain and repair wherever they deem necessary sewers and drains which may pass through, along, or over any street, highway or public or private ground with a right to so excavate and grade the same as may be necessary for such construction or repairs, provided that such streets, highways and public grounds shall be left in as good condition as before laying such sewers and drains and any defect in the same caused by the construction or maintenance of sewers or drains shall be repaired by said corporation to the satisfaction of the selectmen of said town of Manchester. The President and Directors may assess the cost of the construction or maintenance of sewers or drains upon the property for the benefit of which the same are constructed or which may be in any way improved or benefited thereby, and the sum so assessed with interest thereon at the rate of six per centum per annum from the date when the same become due shall be a lien upon such property taking precedent of all other liens or incumbrances, except taxes due the State, and the land, buildings or other property upon which liens exist shall be liable to be foreclosed in the same manner as if the lien were a mortgage thereon in favor of said district to secure the amount of such assessments provided no such lien shall continue for a period of more than 60 days after such assessment shall be due by its terms or by the by-laws of said corporation unless within said time the president or clerk of said corporation shall lodge with the town clerk of the Town of Manchsester a certificate signed by him setting forth the amount of such assessment due said corporation and describing the land upon which the lien is claimed. Such lien shall be discharged of record when said president or clerk shall lodge with the town clerk of said town a certificate that the same is paid or satisfied.

Sec. 7. Said president and directors may also estimate the damages arising to any person not benefited thereby, or whose land may be taken or used in any manner in the construction of any such sewer or drain, and award to such person the amount of such damages, which amount shall be paid to said person before the construction of said sewer, or any use of said land, or upon

his refusal to receive the same, or in case of his absence from said district, such amount shall be paid to the treasurer of the Town of Manchester, who is hereby directed to receive the same, and hold it subject to the order of the person or persons for whose benefit said district shall have made such payment.

Sec. 8. If any person or persons shall be aggrieved by the action of said president and directors in assessing benefits or damages as hereinbefore provided, such person may, within thirty days after notice of the same, as herein provided, petition any judge of the superior court, or the judge of the court of common pleas of Hartford county, for a review of such assessment or estimate of damages, and upon such notice to said corporation as said judge may prescribe, said judge shall, after hearing, appoint three disinterested freeholders of Hartford county, not residents of said Town of Manchester, to review such assessment or estimate. Such freeholders, so appointed, shall give notice to all persons interested to appear and be heard before them at such time and place as they may fix, and shall make such assessment of benefits or estimate of damages in the premises as shall seem to them fair, and make return of the same under oath to such judge. Such judge may accept said report or may set the same aside and appoint other persons qualified in the same manner to perform said duty. If, upon the acceptance of any such report it shall appear that the amount of damages has been increased or the assessments of benefits decreased in favor of the applicant, the costs of said application and review shall be paid by said corporation otherwise by the applicant and said judge shall have power to issue execution for the amount of such cost. The report of such freeholders accepted by said judge shall be filed with the clerk of said corporation and entered upon its records.

Sec. 9. All notices by the President and directors shall be in writing, signed by at least four of said officers, certified by the clerk, and may be served by being deposited in the post-office in said district, postage paid, directed to the person interested, at his usual post-office address.

Sec. 10. The President and Directors as a Board of Health may examine into and order the abatement of and may abate all nuisances which they may deem prejudicial to the health of the residents of said districts arising from sinks, cesspools, privies, drains, sewers, gutters, ponds, stables, barns, hog-pens, slaughter houses, deposits of filth, rubbish and garbage. If any person shall fail to obey the order of said president and directors relating to such nuisances on premises owned or occupied by such person, the same may with the concurrance of the health

officer, committee, or Board of Health of said town be abated or removed at the expense of the person so neglecting or refusing and for such purpose said President or Directors or any agent or committee appointed by them shall have the right to enter upon the lands of any such person and the buildings thereon in said district with such assistance as may be necessary. The expense of such abatement or removal may be recovered by said corporation in a civil action against such person.

Sec. 11. Said corporation shall have the right to discharge its drains and sewers into the Hockanum River, and it may also dispose of the sewage and garbage by draining, filtration, cremation, precipitation or by any or all of said plans, it being authorized to construct, maintain, and repair a complete system of sewerage and drainage throughout said district, provided before said sewage is discharged into the said Hockanum River, it shall be treated by filtration, cremation, precipitation irrigation, or by other approved plans, which will prevent the polution of the water of said River. It may lay, assess and collect taxes for the purposes of said corporation upon the same property and in the manner provided by law for laying, assessing, and collecting school district taxes, and if said corporation at a legal meeting called for said purpose shall by vote so direct, it may from time to time borrow money and issue its note or notes, bond or bonds, or other evidence of indebtedness with interest at not more than six per centum payable not more than twenty years from date.

Sec. 12. Said district is hereby authorized to take and use the water of any stream, lake or pond, except Bigelow Brook, or the brook which crosses the highway known as Woodbridge Street, a few rods northerly from John A. Alvord's store within the limits of the Town of Manchester and lying north of Middle Turnpike in said Manchester and within the towns of Bolton, South Windsor and Vernon, to hold, convey and distribute such water in, to and through said four towns in said district by means of reservoirs, pipes, aqueducts, or other suitable works in such quantities as the necessities and conveniences of said towns and said district may require; to take and hold any lands, property or privileges not heretofore excepted; and to exercise any powers not inconsistent with the laws of this state that may be necessary or convenient for carrying into effect the purposes of this act. Nothing herein shall be construed so as to give to said district the right to lay any pipes or mains, to take, convey, store, or distribute water, or exercise any right in, through, upon, or over the territory of The South Manchester Water Company, or any water company in the Town of Vernon, now used or occupied by any such company, or any part thereof, or to take, use, or divert any

stream or water tributary to or supplying any reservoir now used or occupied by said The South Manchester Water Company, or any water company in the Town of Vernon, without the written permission of said The South Manchester Water Company, or of such water company in the Town of Vernon.

Sec. 13. Except as hereinafter provided, said president and directors are hereby authorized to enter upon any land or water for the purpose of making surveys, and to take conveyances, for and in the name of the district, of all lands, property, or privileges necessary or convenient for accomplishing the purposes of this act; to hold and divert in sufficient quantity the water of any stream either within or without said district, excepting ponds and streams above excepted, by the construction of suitable dams across the same; to enter upon any lands near such proposed dams and procure earth, stone, or other materials for the construction and maintenance thereof, and to make suitable wasteways for the surplus water of such streams; to enter upon and make use of the ground or soil under any railroad, street, public or private way, or public or private ground, and lay, construct, and maintain all necessary pipes and aqueducts in such manner as least to damage or impede travel thereon; to make contracts for labor and material for the general purposes of this Act. To make and establish public reservoirs and hydrants; to make rules and regulations regarding the use and distribution of said water and establish the prices to be paid therefor; to collect all water rents and pay the same to the treasurer of the district; to audit, allow and pay orders on said treasurer for the payment of all claims against said district on account of said works, including payment of interest on notes or bonds issued on account of such works, and generally to attend to the construction, care, supervision and management of said water works.

Sec. 14. Said district shall pay all damages that shall be sustained by any person or persons or corporations by the taking of any land or estate as aforesaid or by the construction or laying of any reservoirs, pipes, aqueducts or other works for the purposes of this Act. If said district cannot agree with any owner other than the Manchester Water Company upon the amount to be paid to such owner, for any land or other property to be taken for the purposes of said district, it may bring its petition to the Superior Court in the County in which such land or property is to be acquired or if such land or property is situated in more than one county to the Superior Court in either County, or if said Court is not in session to either judge thereof praying that such compensation may be determined which petition shall be accompanied by a summons signed by competent authority noti-

fying the owner of the land or other property to be taken and all persons interested therein to appear before said Court or judge and shall be served as a summons in civil actions and upon said petition said Court or judge shall appoint a committee of three disinterested persons who after being sworn and having given reasonable notice to the parties shall examine the land or other property proposed to be taken ascertaining its value and assess such sum in favor of the owner as will compensate him therefor and shall report their findings and award to said Court or judge and their report may be rejected for any irregular or improper conduct in the performance of their duties. If the report be rejected the Court or judge shall appoint another committee which shall proceed in the same manner as the first committee was required to proceed, but if it be accepted by said Court or judge such acceptance shall have the affect of a judgment in favor of the owner of the land or other property against the petitioner for the amount of the assessment made by the Committee, and execution may be issued therefor and such Court or judge may make any order necessary for the protection of the rights of all persons interested in the land or other property taken, but the land or other property sought to be taken shall not be used by said district until the amount of said judgment shall be paid to the party to whom it is due or deposited for his use with the County Treasurer. Said District shall pay the members of the Committee a reasonable compensation for their services to be taxed by said Court or judge. The provisions of this section shall apply to procedure in relation to water matters of said district only.

Sec. 15. The President and Directors of said District may bargain with the Manchester Water Company, a corporation under the laws of this State located in said Town of Manchester for the purchase of its rights, franchises, interests, real and personal property, estate and assets of every kind wheresoever situated and shall report their doings to a meeting of voters of said district as defined in section 3 of this Act. At such meeting or at any adjournment thereof said district may vote upon the question whether it shall purchase said property and assets of said The Manchester Water Company under the terms and conditions afforded by said president and directors and if said question so submitted is determined affirmatively the district shall thereupon become possessed of all the rights, franchises, interests, contracts, real and personal property, estate and assets of every kind and wheresoever situated of said The Manchester Water Company upon performance by said district of the terms

and conditions of the agreement of purchase to be by it performed and said The Manchester Water Company shall execute all necessary transfers, assignments and conveyances to carry such purchase into effect. If said President and Directors are unable to agree with said The Manchester Water Company for the purchase of its property said President and Directors may vote to take all the rights, franchises, interests, contracts, real and personal property, estate and assets wheresoever situated of said The Manchester Water Company by condemnation proceedings, at whatever price and amount may be fixed and adjudged by appraisers appointed under the provisions of this section and the President and Directors may submit their action to be voted upon by the legal voters of said district. If the majority of such voters shall vote in favor of the district taking all said property and assets by condemnation proceedings at the price and amount to be so fixed and adjudged by said appraisers then said president and directors may after at least thirty days' notice to said The Manchester Water Company apply in behalf of said District to the Superior Court for Hartford County for the appointment of three disinterested men as appraisers and said Court shall appoint the same who, after being sworn and giving the parties in interest at least thirty days' notice, shall hear the parties and ascertain and adjudge according to law the true and just value of all the rights, franchises, contracts, real and personal property, estate, and assets of all kinds wheresoever situated, belonging to or appertaining to said the Manchester Water Company and shall report their judgment to the Clerk of the Superior Court for Hartford County for confirmation by said Court who shall file and record the same and upon such report being accepted by the Court judgment shall be rendered in accordance therewith. Upon the filing of said report and its final acceptance by the Superior Court in the manner herein provided for the amount ascertained and adjudged shall immediately become due and payable and upon payment by said District to said The Manchester Water Company of the amount so ascertained, the title to all the rights, franchises, interests, contracts, real and personal property, estate and assets of every kind wheresoever situated except cash of said The Manchester Water Company shall vest in and belong to said district and said The Manchester Water Company shall make all necessary conveyances, assignments, releases, and transfers of said property and interest to said district. The Superior Court, by its final judgment, shall ascertain and determine all things and issue all orders and writs necessary or convenient to fully carry out the intent and purpose of this act and the award of the appraisers, and may make any order neces-

sary for the protection of the rights of any party, including stay of execution of any judgment in whole or in part. In the event of a submission to the voters of said district, under the provisons of this act, a list of the qualified voters of said district shall be made in the manner provided by law for making lists of voters to be used at meetings of electors in said town, and such list shall be the voting list to be used in voting upon any question submitted under the provisions of this act. A sufficient number of ballots shall be provided. Those in favor of the purchase of the property of The Manchester Water Company shall deposit a bollot in the box provided for such purpose, upon which ballot shall be plainly printed "Shall the Eighth School and Utilities District purchase the property of The Manchester Water Company at the price of (here insert the amount of the agreed price)? Yes." Those opposed to the purchase of the property of The Manchester Water Company shall deposit a ballot in such box, upon which ballot shall be plainly printed "Shall the Eighth School and Utilities District purchase the property of The Manchester Water Company at the price of (here insert the amount of the agreed price)? No." In the event said district shall decide as herein provided, to acquire the property of said The Manchester Water Company otherwise than by agreement with said The Manchester Water Company, those in favor of acquiring such property shall deposit a printed ballot as hereinbefore provided upon which shall be printed "Shall the Eighth School and Utilities District purchase the property of The Manchester Water Company at whatever price may be fixed by appraisers? Yes." Those opposed shall deposit a ballot upon which shall be plainly printed "Shall the Eighth School and Utilities District purchase the property of The Manchester Water Company at whatever price may be fixed by appraisers? No." For the reception of said ballots a box marked "Manchester Water Company" shall be provided. In case said district shall take over the property of said The Manchester Water Company under the provisions of this act, the corporate franchises and rights of said company, shall continue in said The Manchester Water Company unimpaired for all purposes of enforcing the collection of claims and demands, either by the Company or against it, and for purposes of properly closing up the business and affairs of the Company and distributing its assets.

Sec. 16. The Eighth School and Utilities District shall not take by condemnation any property or rights, except those of said The Manchester Water Company, until authorized by the superior court or a judge thereof after application and finding, in the manner hereinafter provided, that public convenience and neces-

sity require the condemnation of such property or rights. Said district intending to condemn any property or rights other than those of said The Manchester Water Company shall make application to the superior court, or a judge thereof, for a finding that public convenience and necessity require the condemnation of such property or rights. Such court or judge shall thereupon fix a time and place to hear such application, and shall cause notice to be served, at least twelve days before the day of hearing, upon any water company or companies and the owner of any property or rights that may be affected by the condemnation of such property or rights. Such court or judge shall hear the parties and determine whether public convenience and necessity require the condemnation of such property or rights in whole or in part and the decision of such court or judge shal be final and conclusive upon the parties; provided such finding of public convenience and necessity shall not be required, after said district has acquired the rights, property and assets of said The Manchester Water Company, as provided in this act. The provisions of this section shall apply only to property for water supply purposes.

Sec. 17. Nothing herein shall give said district the right to take, appropriate and use any property, rights, or privileges of any person or corporation until the same shall have been legally acquired by purchase or condemnation, or otherwise, and paid for by said district.

Sec. 18. Said district is hereby authorized to open the grounds in any road, street, or highway, in the Town of Vernon, for the purpose of laying and sinking or for repairing such pipes or conduits as may be necessary for conducting water from any reservoir which said district may construct in the Town of Bolton or Vernon to the Town of Manchester; and said district may, for the purposes aforesaid, construct any aqueduct or other works by it to be made and constructed, from such reservoir situated in the Town of Bolton or Vernon under or over any water course, street, railroad, highway, or other way; provided said district shall put such water course, street, railroad, highway, or other way as speedily as possible in as good condition as before laying and constructing such aqueducts or other works. The same provisions as to repairs to water courses, railroads, highways, or other ways, shall be obligatory upon said district wherever the works of said district shall be located. In case said district shall acquire any property or rights of said The Manchester Water Company situated in the Town of Vernon, either by purchase, condemnation, or in any other way, said

district is hereby authorized to hold, use, and maintain such property in said Town of Vernon.

Sec. 19. For the purpose of defraying the cost of construction of said waterworks and expenses incident thereto, and in addition to other notes, bonds, or evidences of indebtedness, said district is hereby authorized to issue notes, bonds, or certificates of debt, to be denominated on the face thereof Water Fund of the Eighth School and Utilities District, to an amount not exceeding, in the whole, the sum of one hundred and fifty thousand dollars, bearing interest at no greater rate than six per centum per annum, the principal of which shall be payable at any time or times within fifty years after the date of issue. The amount of such notes, bonds, or certificates which may at any time be issued, with times of payment of the principal and interest thereof and the rate of interest, shall be prescribed by said district in legal district meeting for that purpose called and held. Such notes, bonds, or certificates shall be signed by the president and countersigned by the clerk of said district, who shall register the number and amount of each bond or certificate issued on the records of said district; and said bonds and certificates shall, when issued, be obligatory upon said district and the inhabitants thereof according to the tenor and purport of the same.

Sec. 20. Said president and directors shall be the trustees of the notes, bonds, or certificates of debt issued by said district; shall superintend the issuing of the same; regulate the form thereof; and, after the same or any part thereof shall be issued, may sell them in such manner as they may deem best, at not less than their par value, or may pledge the same for money temporarily borrowed by them. Said president and directors shall keep a record of all such notes, bonds, or certificates issued, disposed of, or pledged; and all moneys received by said president and directors shall be paid to the treasurer of said district. The provisions of this section shall not apply to matters pertaining to schools.

Sec. 21. In case the avails of water rent in any year shall be inadequate to meet the current expenses of said waterworks, or any interest on such script, the deficiency shall be supplied by the laying of a tax on the ratable estate of all persons liable to taxation, which tax shall be estimated by the president and directors and recommended to a district meeting specially called for laying the same, and said meeting may then lay such tax as shall be necessary to meet the aforesaid deficiency; and said district at any district meeting specially called and held for that purpose may lay taxes for the purpose of paying the principal debt aforesaid, or any part thereof, by the establishment of a

sinking fund, or in any other proper manner, and such tax may be collected in the same manner as school district taxes. The avails of all such taxes shall be paid to the treasurer of the district, subject to the order of said president and directors.

Sec. 22. The avails of all water rents shall be applied to defraying the current expenses of said waterworks; and then to the payment of the interest on said notes, bonds, or certificates; and if there shall be at any time an excess, the treasurer shall report the fact to the president and directors, who may direct whether the same be applied to the extinguishment of the principal debt incurred by the issuing of said notes, bonds, or certificates, or to any other purpose in connection with said works.

Sec. 23. Any claim of said district for the use of water shall be a lien upon the real estate or property therein, or in connection with which such water was used; and said lien may be foreclosed before any court having jurisdiction in the same manner as mortgages are foreclosed. The president and directors shall also have power to issue warrants for the collection of all such claims in the form prescribed by law for the collection of taxes, which warrants shall be signed by said president and directed to some constable or indifferent person named therein who shall have the same power to levy and collect the same as collectors of town taxes.

Sec. 24. The president and directors shall keep a record of their official proceedings, and an accurate account of their receipts and disbursements, verified by proper vouchers, which account shall be open at all proper times to the inspection of any taxpayer of the district; and said president and directors shall render at each annual district meeting a statement of their receipts and disbursements on account of the construction of said works, and a separate statement of the receipts from revenue of the same, and payments for interest and current expenses after the opening of such works for public use, which statement shall be sworn to by one or more of said directors and recorded in the records of said district. They shall also report to the same meeting a statement of their doings, including a general exhibit of the state of the works and estimates of sums required to be expended therefor, a statement of claims outstanding against the district on account of such works, and such other matters of information in regard to said works as may be called for. The treasurer shall also render to the same meeting, and at any time when required by the president and directors, a statement of his accounts.

Sec. 25. If any person shall wilfully and maliciously contaminate the water in any reservoir, hydrant, aqueduct, pipe, or

other portion of said waterworks, or destroy or injure any material or property used or designed to be used in connection therewith, such person, on conviction thereof, shall be fined not more than two hundred dollars, or imprisoned not more than one year, or both; and said district shall have power to enact by-laws, in the manner prescribed by law, imposing penalties and forfeitures for violation of any of the rules or regulations of the president and directors, provided such penalties or forfeitures shall not exceed the sum of twenty dollars for any offense.

Sec. 26. This act shall not take effect until it has been accepted by said district at a meeting specially warned for that purpose, at which meeting the vote shall be taken by ballots marked "Yes" and "No," and if the majority of the ballots so cast in said meeting shall bear the word "Yes," then this act shall take effect and be in force. The boxes to receive the ballots aforesaid shall be kept open at least three hours, and the hours of opening and closing the same shall be specified in the call for the meeting. If at said meeting this act shall be accepted, then said district may, at a special meeting called for that purpose, vote upon the matter of issuing such notes, bonds, or certificates, and elect by ballot a president, directors, and a treasurer, and transact any other business contemplated in the provisions of this act, provided notice thereof shall have been inserted in the call for said meeting. The meeting of such district provided for in this section shall be held at the school hall in the Eighth School District, or at such other place in said district as the committee of said Eighth School District, the president and directors of said The Manchester Sanitary and Sewer District, and the president and directors of said The Manchester Water District, or any five of them, who are hereby authorized to call said meeting, shall designate, at such time after the approval of this act as said committee, president, and directors, or any five of them, shall fix, notice of said meeting being given by the persons designated in this act, or any five of them, by posting a written notice of said meeting on the public signpost in said town located in said district, and by publication of said notice in a newspaper published in said Town of Manchester.

Sec. 27. At the first meeting of said corporation, or at some subsequent meeting, by-laws and regulations for the control and management of its affairs and the conduct of its officers and agents shall be adopted by said corporation, and shall not be altered except at an annul meeting of said corporation, or a special meeting called for that purpose.

Approved, May 17, 1915.

(House Bill No. 960)
(331)

An Act Reimbursing the Town of Manchester for Damages Paid by Said Town by Reason of Defect in a State Highway.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

The comptroller is directed to draw his order on the treasurer for the sum of two thousand five hundred dollars in favor of the treasurer of the Town of Manchester, to reimburse said town for money expended in paying Nellie Campbell for injuries sustained by her on the state highway.

Approved, May 20, 1915.

LIBRARY
UNIVERSITY OF ILLI
URBANA

INDEX TO COMPILATION.

Incorporating Town of Manchester 1
Validating List, Town of Manchester 2
Annexing part of East Windsor to Manchester 4
Changing Name of Society of Orford 3
Creating Probate District of Manchester 5
Annexing Harlow Fowler et al. to North West School District of Manchester 5
Annexing Part of South East School District of East Hartford to West School District of Manchester 5
Authorizing Town to Assume Indebtedness Incurred in Furnishing Quota 3
Remitting Part of State Tax to Town 4
Valdating Election of Justices of the Peace 4
Creating School District in Manchester and East Hartford 6
Validating Action Exempting The Mather Electric Company from Taxation 7
Incorporating 9th School District 7
Reimbursing James M. Burke 8
Amending 9th School District Act. 9
Amending 9th School District Act. 9
Amending 9th School District Act. 10
Amending 9th School District Act. 13
Creating Town Court of Manchester 14
Amending Town Court Act. 20
Town Act. 22
Amending Town Act. 32
Amending Town Act. 38
Amending Town Act. 47
Amending Town Act. 51
8th School and Utilities District 57
Reimbursing Town for Damages Paid Nellie Campbell 70

LIBRARY
UNIVERSITY OF ILLINOIS
URBANA

UNIVERSITY OF ILLINOIS-URBANA
3 0112 103562903